

The Intersection of Sport, Art, & Public Disability Access: An Analysis of Best Practices

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Introduction

As adults age the probability of having a disability increases, limiting one's ability to freely access public venues. ¹ Currently, over 56 million Americans have some form of a disability. ² While the type of disabilities varies widely among adults, the impact on one's life can be significant. For example, over 30 million Americans have difficulty walking, or climbing stairs and nearly 20 million people have difficulties lifting and grasping, such as grasping a pen or carrying a bag of groceries. ³

The Americans with Disabilities Act (ADA) was enacted to assist people with disabilities and safeguard their opportunities. ⁴ One requirement the ADA mandates is that public facilities comply with a range of standards regarding public services so they are accessible to people with disabilities. ⁵

This article reviews the ADA's accessibility requirements and how two types of prominent public institutions, sport venues and art museums, not only comply with disability access challenges, but how these and other public intuitions can approach disability access and learn from one another.

Specifically, this article investigates the intersection of sport, art, and public disability access, and the challenges and possible solutions art museums and sport venues encounter. The goal of this research is to provide possible solutions regarding disability access so people with disabilities can enjoy equitable access to both entertainment and the arts.

Methodology

This study utilizes mixed-methods, qualitative historical research methods and legal research analysis. Historical research methods are the process of systematically examining various data sources to give an account of what has happened in the past to arrive at conclusions and to predict future events. ⁶

Like other forms of research, legal scholarship addresses a wide array of theoretical, methodological, and substantive issues. ⁷ To arrive at its conclu-

sions, legal research analyzes data from primary sources of law, such as federal statutes and court cases, to form legal suppositions.⁸

The research questions for this study are: (1) What is the common intersection between sport, art, and public disability mandated by the American's with Disabilities Act, and (2) What are the best practice approaches that public intuitions can implement to increase accessibility and patron participation? The hypotheses are: (1) the Americans with Disability for Accessibility Guidelines are the common intersection between sport venues and art museum disability access, and (2) sport venues' mobility access plans and art museums' disability programs provide current best practice approaches to increase access and patron participation for people with disabilities.

Data from the ADA's Access Guidelines,⁹ the American Alliance of Museums Standards and Best Practices,¹⁰ and established mobility assist programs at three public sport venues were collected and analyzed.¹¹ Researchers worked inductively and iteratively to structure and give meaning to data. Researchers collaborated to compare and contrast individual records for consistency, meaning, and interpretation. Data analysis included legal analysis, categorical aggregation of multiple instances, and direct interpretation of the individual instances.

Disability Access and the Law

People have participated in organized sports for over a century.¹² Only recently, however, have they received public recognition for their involvement.¹³ Similarly, sport fans have been attending sporting events in the United States for nearly 100 years, but it was not until the recent passage of the Americans with Disabilities Act (ADA) that people with disabilities could access public sporting events.¹⁴

Passed by Congress in 1990, the ADA is the United States' "first comprehensive civil rights law addressing the needs of people with disabilities, prohibiting discrimination in employment, public services, public accommodations, and telecommunications."¹⁵ The ADA was designed to assist people with disabilities with the many challenges encountered when accessing public venues. Uneven pathways, concrete curbs, and stairs were just some of the obstacles that limited access to and from public events. To remove these barriers, the

ADA requires curb cuts, ramps, elevators and other route specific guidelines for altered and newly constructed public accommodations.¹⁶

Despite the ADA's good intentions to eliminate barriers, access for those with a disability did not occur immediately following passage of the law. While the ADA required public buildings, including sport venues, to provide access, accessibility was slow to develop since public venues were not required to reconfigure current buildings to provide access. The ADA's standards merely applied to modified or new construction.¹⁷

Title II and Title III of the ADA mandates that public entities, such as sport stadia, "give people with disabilities an equal opportunity to benefit from all of their programs, services, and activities,"¹⁸ and that "places of public accommodation be designed and constructed to be accessible."¹⁹ To ensure compliance with the ADA, the U.S. Access Board (Board) established guidelines for accessible design and construction. Also, the Americans with Disabilities Act Accessibility Guidelines (ADAAG) set minimum requirements for accessibility when buildings are renovated.²⁰ For example, the ADAAG contains technical requirements for accessibility.²¹ These requirements must be met "during the design, construction, and alteration of buildings and facilities covered under Titles II and III of the ADA."²²

While the ADAAG mandate strict design and construction procedures, they also require public facilities, such as sport venues and art museums, to provide an accessible route to and from the event.²³ The ADAAG require that "accessible routes shall consist of one or more of the following components: walking surfaces...ramps, curb ramps...elevators, and platform lifts."²⁴ In other words, public sport and entertainment venues must provide accessible routes based on the location, width, passing space, head room, surface, slope, changes in level, doors, egress, and areas of rescue assistance.²⁵

Under the ADAAG scoping guidelines, "at least one accessible route must be provided to the site from accessible parking spaces and passenger loading zones; public streets and sidewalks; and public transportation stops to the building entrance they serve."²⁶ Likewise, if passenger drop-off areas are provided, they must have an accessible route and connect an accessible entrance.²⁷

Providing an access path is only part of the venue's legal obligations. ADAAG also include specifications for accessible means of egress, i.e., "a continuous and unobstructed way of travel from any point in a building or facility

that provides an accessible route to an area of refuge, a horizontal exit, or a public way.”²⁸

Disability Access and Sporting Venues

Numerous sport venues enhance accessibility through Mobility Assistance (MA) programs. MA programs are the planned, safe and apt transport of guests with disabilities and mobility limitations to and from a sporting venue via a dedicated path of travel. At venues with extremely large property footprints, such as Daytona International Speedway (DIS), the MA program provides transport to destinations across the property.²⁹ Other notable sport MA programs exist at AT&T Stadium (home of the Dallas Cowboys), and Sonoma Raceway, just to name a few. For example, at AT&T Stadium, transportation is provided for anyone who has special needs as determined by the patron, such as, spectators, staff, media, volunteers, and sponsors.³⁰ Patrons with special needs or mobility limitations can include temporary or permanent physical limitations.³¹

Mahoney and McMillen (2011) studied the functionality of the MA program at AT&T Stadium. Vehicles arriving at AT&T Stadium with a disabilities plate or placard area directed to an accessible parking space with blue flags and signage indicating a MA shuttle load zone.³² At DIS, these locations are identified with an “S” in the Facility Map and are referred to as an ADA Cart Shuttle Stop. Regardless of the identifier or name, MA programs transport patrons from parking to assigned entry gates or other property destinations following a dedicated path of travel.

Similarly, upon entry to Sonoma Raceway, staff directs guests requiring accessible parking to designated parking areas. The upper parking lot is designated for guests with any type of disability, whereas the lower lot is reserved only for guests who utilize wheelchairs.³³ Dependent upon guests needs, upon arrival at venues with noteworthy MA programs, trained staff escort guests who request assistance to their respective seats via wheelchair assistance. Other services provided include, but are not limited to, documentation of requested services by specific guests, processing a reservation and coordinating logistics for post-event transports to designated shuttle areas and transport to designated MA parking lot shuttle areas.³⁴ Venues such as Sonoma Raceway and DIS also provide mobility assistance for guests who purchase camping at the venue by assisting guests to and from their campsite and seating area.

Communication is a key aspect of all effective MA programs. MA programs often utilize radio communication between shuttle drivers, parking lot attendants, an MA or ADA program coordinator, and venue command center to serve guests with disabilities in an efficient manner. In most instances, the program coordinator is responsible for monitoring MA shuttle requests and timely deployment of shuttles. For example, at AT&T Stadium, guests with mobility limitations who utilize the MA shuttle are provided a locator card indicating where to return to after the event for MA shuttle pick-up.³⁵

Sonoma Raceway coordinates their MA program slightly different than AT&T Stadium. Guests with disabilities are provided different color wristbands, separated by color and parking location.³⁶ Colored wristbands correspond with a parking lot to direct guests and aid shuttle staff to the appropriate parking area at the end of the event.³⁷

Also, there are four colored shuttle routes for disabled guests at Sonoma Raceway, each indicating designated shuttle stops near seating, camping, and parking.³⁸ Solid color wristbands are issued to guests with disabilities and one accompanying individual.³⁹ If there are additional people in the group (family members or friends), then striped wristbands are issued.⁴⁰ During peak demand for MA service, priority service is first provided to guests with solid wristbands.⁴¹

Both AT&T Stadium and Sonoma Raceway MA program shuttles are available on event days and are staffed and operational upon opening of respective venue parking lots, running continuously up to designated times following the event (i.e., one-and-a-half hours). The MA service is provided to those guests requesting the service and one companion. Outbound MA shuttles are staged at venue exits and guests with mobility limitations are shuttled to the venue along a “dedicated path of travel” and back to the respective lot where their vehicle is parked afterward.

The number of accessible shuttle carts varies per sport venue and the magnitude of the event (e.g., NASCAR or Super Bowl). At AT&T Stadium, up to fifteen MA carts are assigned to each event at the venue, including wheelchair accessible transport for those patrons who park remotely.⁴² MA transportation staff perform a number of duties, such as, reporting guest needs to the ADA coordinator; attending event briefings; completing event log sheets; deploying shuttles to assigned parking lots; checking-out required equipment (e.g., radio,

flags, shuttles); and reversing the process at the completion of the event. The ADA coordinator is responsible for maintaining a shuttle log, communicating with stadium operations, and coordinating all MA logistics.⁴³

McMillen and Mahoney (2011), studied the transportation requirements of MA shuttle services to identify the essential protocols, including how to train personnel; identification of safe travel routes; efficient communication; sector patterned travel; command center aerial surveillance; and transport log documentation.⁴⁴ In general, vehicle and pedestrian outbound flow can be logistical challenges to MA programs, particularly at the conclusion of the event.⁴⁵ Daytona International Speedway addresses this safety concern by informing users that shuttles may not be operational immediately following the conclusion of the event due to a high volume of pedestrian traffic.⁴⁶

Disability Access and Art Museums

As major cultural institutions, art museums provide opportunities for life-long learning, entertainment, and leisure-time.⁴⁷ Art museums also cater to a range of audiences and encourage active participation, address varying levels of knowledge, and provide ways of accessing information while allowing visitors to feel welcome.⁴⁸ Modern definitions of museums often prescribe museums as educational institutions of public service and places of “inclusion that welcome a diverse audience and reflect our society’s pluralism in every aspect of its operations and programs.”⁴⁹

As a result of the ADA legislation from 1990 along with documents created to highlight disability access awareness in museums, such as *Everyone’s Welcome*, and the American Alliance of Museums (AAM) report of 1992, *Excellence and Equity*, museums today continue to focus their energies on the communities in which they reside and the audiences they serve.⁵⁰ Furthermore, in the mid-1990s, the Museum Access Consortium (MAC) was founded in New York to provide an opportunity for addressing accessibility issues specific to museums and to promote the idea that “commitment to accessibility occurs when all departments share in the responsibility for physical, programmatic, and attitudinal accessibility.”

Under the ADA, accessibility means compliance with the requirements of the standards for accessible design for new construction and alterations.⁵² Within the museum industry, accessibility also refers to making the site’s exhibits and

programs available to all visitors.⁵³ In art museums, the goal then is to eliminate physical, communication, policy, and procedural barriers. This research uses the term *accessibility* in a broad context, which includes Universal Design of physical spaces but also in regards to programmatic, policy and attitudinal accessibility. Recent data collected from a variety of art museum staff across the U.S. suggests that other common terminologies being used in museums by staff members include terms, such as *social inclusion*, and *inclusiveness*.⁵⁴

Over the last decade, many art museums have attempted to improve their access of the physical space where Universal Design principles have steadily influenced the design of exhibitions.⁵⁵ For example, the Cooper-Hewitt National Design Museum exhibition entitled, “Unlimited by Design” focused solely on inclusive exhibition design and demonstrated to the museum industry that accessibility does not equate to the lowering of aesthetic standards.⁵⁶

While the accessibility of the physical space itself is important and something that all art museums must endeavor to implement, museums are moving beyond addressing accessibility in the physical space alone, and increasingly focusing on the accessibility of their programs and services for visitors. A variety of services have become increasingly available to people with differing abilities. For example, some museums have created tactile sculpture displays and 3D prints of artworks for the blind and visually impaired along with visually descriptive tours.⁵⁷ This allows for visitors to be able to touch works of art (which usually are off limits), providing them with the opportunity to ‘see’ with their hands, the artworks on display and also participate in tours that describe the artwork in much detail. This serves to enrich the museum experience of those with blindness or visual impairments not only providing them with an educational experience but one where they may feel included and welcome in the museum.

Similarly, museums continue to implement tours and services for the deaf and heard of hearing community, offering tours and events in American Sign Language (ASL) or with this service provided. Some tours are only offered in ASL, where others are also offered in spoken English. In addition, some museums have experimented with new technologies, providing tablets or iPads with video footage of people talking about the artwork with captions included or speaking in ASL for visitors who are deaf or hard of hearing. More recently, some museums are also offering Low Sensory Morning sessions in the muse-

um for families with children (or adults) with autism or on the autism spectrum. These sessions are offered when the museum has fewer crowds of people and is quieter so that these visitors may avoid sensory overload in the museum. To accompany this, the museum also provides Social Stories on their websites, that anyone can download, which is a visual schedule of what he or she can expect when they come to the museum. The Social Story details exactly what they will experience in the museum the day they visit so that these visitors on the autism spectrum are more prepared, aware and relaxed when they arrive.

More art museums today are also offering programs for visitors with Alzheimer's disease and their families.⁵⁸ These may be group educational sessions where participants view the artwork with a discussion lead by museum educators, then have the opportunity to make their own artwork during a class session. Museum education specialists are also offering similar sessions like this to those with developmental disabilities and their families providing these visitors with enriched and educational museum experiences.

In addition to the accessible programs and services that art museums are providing to visitors with disabilities, there has also been an increase in the use of various technologies as a means to not only provide these services but also to market and advertise them to potential new audiences.⁵⁹ For example, given the smart phone generation and how many in society gain information on their smart phones, museums are now updating their websites to be 'mobile-friendly,' incorporating much of the information there. It is common practice for museum websites to have tabs that clearly indicate their accessibility from Universal Design needs to specialized educational programs and events for those with a variety of different abilities. Art museums are also using social media sites such as Facebook and Instagram to advertise their programs, events, and services for those with disabilities.

Today, art museums continue to grow and evolve in their offerings of accessible and inclusive spaces and services to visitors. While many art museums are keenly aware of the need for further accessibility and inclusion, efforts are still needed to fine tune and build upon accessible foundations that have been laid.

DISCUSSION AND CONCLUSION

The Americans with Disabilities Act (ADA) requires altered or newly constructed public venues to be accessible to people with disabilities. To determine accessibility, researchers conducted a legal analysis of the ADA and applied its accommodation requirements to both art museums and sport venues. Mobility Assist (MA) program in sport offers a creative and effective method to reliably and safely accommodate people with disabilities. No art museums currently offer a MA program. Art museum visitors with disabilities must find their way to the museum no matter what their disability may be. This is despite the fact that many people with disabilities cannot drive and are reliant on public transport. Without transport, people with disabilities who visit art museums must overcome yet another obstacle just so they can attend, i.e., arranging for transportation to and from the museum.

Conversely, sport organizations could learn from art museums, which routinely provide specific programming for patrons with disabilities once they arrive. Not only does specific programming attract more patrons with disabilities, and thereby provide more access, it makes the program more enjoyable not only for those with disabilities but also for everyone.⁶⁰ For example, upon arrival at the stadium or event, the venue might consider providing video footage with captioning or ASL interpretation.⁶¹ Alternatively, venues could offer ‘quiet rooms’ where those on the autism spectrum and those who are deaf or hard of hearing could listen more easily without extraneous noise.⁶² In addition, sport venues could provide a ‘Social Story’ which provides a clear visual and verbal description on their website of the game/event experience in order to provide those on the autism spectrum with virtual accessibility before an event in order that they are prepared and know what to expect when they attend the live event.⁶⁴

Beyond MA programs, there is a need to continually improve all guest services. The 2016 EURO in France provided audio-description commentary, or specialized commentary to people with limited or no vision.⁶⁵ The goal is to provide equitable experiences for all attendees by substituting audio narration for visual information. For example, for blind and partially sighted, the commentators describe the action on the field, the score, the key plays, and even the positioning of the players.⁶⁶ The commentary can be so detailed it even describes players’ facial expressions, player haircuts, pre-match rituals, the

uniform colors, fans celebrations, and the overall atmosphere.⁶⁷ Another area of potential concern is wayfinding and transportation routes/maps (including MA shuttle routes) whereby color-coding is inappropriate for guest with color blindness (color vision deficiency or CVD).

Regardless of the public venue, to comply with the ADAAG, sport organizations and art museums should review their current access routes and determine whether they meet ADAAG and implement staff training to ensure compliance. Planning, design and training are critical to a MA program's success.⁶⁸ From the parking attendant to the MA driver and wheelchair services event staff, all the way to the ADA director and transportation services contractor, training is an essential component to effectively serve those with disabilities.⁶⁹

Research on the best practices of accessibility is ongoing. More study is needed on how public venues can attract and then provide access and programs to people with disabilities. The MA programs and creative accessibility programming identified herein are positive steps in ensuring that all people have access to public venues.

NOTES

¹Nearly 1 in 5 People Have a Disability in the U.S., Census Bureau Reports (2012), <https://www.census.gov/newsroom/releases/archives/miscellaneous/cb12-134.html>.

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³Ibid

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⁷Lee Epstein & Gary King. "The rules of inference." *University of Chicago Law Review*. (2002): 1-133.

⁸Ibid

⁹ADA Accessibility Guidelines, <https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/background/adaag>.

¹⁰American Alliance of Museums Standards and Best Practices <http://www.aam-us.org/resources/ethics-standards-and-best-practices/standards>.

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¹²Karen P. Depauw & Susan J. Gavron "Disability and Sport." Champaign, IL: Human Kinetics (1995).

¹³Ibid

¹⁴Ibid

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- ²⁷ADAAG, 503, Passenger Loading Zones, 2010.
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- ³²Ibid
- ³³Sonoma Raceway Guidelines for Guests with Disabilities (2017). Retrieved January 20, 2017, from http://www.sonomaraceway.com/documents/guidelines_for_guests_with_disabilities1.pdf.
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- ³⁵Michael Mahoney & John McMillen, “Cowboys Stadium Mobility Assist Program: Accessible Routes and the Americans with Disabilities Act Accessibility Guidelines”. *Journal of Legal Aspects of Sport*, 21, no.1 (2011): 101-115.
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- ³⁸Ibid
- ³⁹Ibid
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- ⁴¹Ibid
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- ⁶⁰Ibid.
- ⁶¹The Museum of Modern Art (MoMA) in New York, uses videos with captioning for a variety of purposes on the museum's website.
- ⁶²Numerous museums across the country acknowledge that some visitors are more sensitive to noise and stimuli such as those on the Autism Spectrum. These museums provide 'sensory friendly maps' for visitors locating the quieter spaces in the museum that visitors can enjoy or provide 'quiet rooms'. Some examples of museums doing this are: The Metropolitan Museum of Art, The Museum of Modern Art, The Art Institute of Chicago; and the Denver Art Museum.
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