

The National Alliance for Accessible Golf: Toolkit for Golf Course Owners and Operators...



A resource guide for golf course owners and operators as they seek ways to make their golf course more accessible to golfers with disabilities

National Alliance for Accessible Golf
www.accessgolf.org
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PART I

ALLIANCE FOR ACCESSIBLE GOLF TOOL KIT

INTRODUCTION

The National Alliance for Accessible Golf is a collaboration of agencies, associations, institutions, corporations and individuals committed to the inclusion of golfers with disabilities in the game of golf. It is incorporated in the State of Indiana and has 501 (c)(3) tax-exempt status. The initial Board of Directors of the Alliance includes the following individuals and representatives from the following organizations:

- American Therapeutic Recreation Association
- City of Las Vegas
- Clemson University
- Club Managers Association of America
- Golf Course Superintendents Association of America
- Indiana University, National Center on Accessibility
- Ladies Professional Golf Association
- National Golf Course Owners Association
- National Therapeutic Recreation Society
- PGA of America
- PGA TOUR
- The First Tee
- United States Golf Association
- University of Chicago
- University of Missouri
- University of Utah
- Greg Jones
- Tom Houston

The Alliance goals are:

- To increase persons' with disabilities understanding of the benefits of golf;
- Increase the golf industry's awareness of the benefit of serving persons with disabilities;
- Advance models and resources for persons with disabilities to learn the game of golf;
- Increase awareness of the needs of golfers with disabilities among golf course owners, teaching professionals and related personnel;
- Advance scientific understanding of the benefits of golf for persons with disabilities;
- Assist the golf industry in resolving issues related to expanding services to persons with disabilities; and
- Assemble and review technical information for golf course managers, rehabilitation and recreation professionals, and golf professionals that lead to improved inclusive services.

This tool kit is one of the initial Alliance projects. It is designed to provide guidance to golf course owners and operators as they seek ways to make their golf course more accessible to golfers with disabilities. While there are specific requirements for facility accessibility laid out in the Americans with Disabilities Act, there are also many gray areas, particularly related to the accessibility of the golf course itself. What is an owner's responsibility? It is illegal to discriminate against a person with a disability. But beyond that, many golf course owners and operators have recognized that golfers with disabilities represent a growing market. Indeed, as the population continues to age, today's avid golfers may become golfers with disabilities who desire to keep playing the game they love.

Golf course owners and operators must evaluate the policies and procedures implemented at their courses to ensure that there are no "barriers to entry" for customers with disabilities seeking to play their courses. Look at the policies from the perspective of a person with a disability and then make every reasonable accommodation to overcome those policies.

LAWS AND REGULATIONS

The Americans with Disabilities Act

- *The Americans with Disabilities Act of 1990 (ADA) was adopted to remove the barriers that have prevented society from benefiting from the participation and contributions of individuals with disabilities. Many states have also adopted and enforce versions of the federal ADA.*

Title III of the ADA requires public accommodations, including golf courses, to provide goods and services to people with disabilities on an equal basis with the rest of the general public. In addition, title II of the ADA requires public entities, such as states and local governments, to make golf courses and other facilities accessible to and usable by people with disabilities.

New golf course facilities must be accessible in accordance with the ADA. The ADA also requires removal of architectural barriers in existing facilities when "readily achievable." Readily achievable is defined as easily accomplishable and able to be carried out without much difficulty or expense. For courses owned or operated by a state or local government, access must be provided when doing so is necessary to make the "program" of golf accessible.

ADA ACCESSIBILITY GUIDELINES FOR GOLF COURSE DESIGN AND CONSTRUCTION

The development of minimum accessibility guidelines for golf courses is the responsibility of the U.S. Access Board. The Access Board is an independent federal agency comprised of public and government members appointed by the President.

In 1993, the Recreation Access Advisory Committee was convened to provide the Access Board with information and advice in the development of accessibility guidelines for recreation facilities and outdoor developed areas. The committee organized itself into subcommittees based on facility types, including a Golf Subcommittee. Representatives from the PGA of America and the Golf Course Superintendents Association of America and other golf and organizations representing people with disabilities served on the Golf Subcommittee.

In 1993 and 1994, the Golf Subcommittee met and developed recommended accessibility guidelines for new golf course construction and alterations to existing golf courses. Their mission was "to define proposed architectural guidelines that would facilitate the integration of people with disabilities into golf while maintaining the tradition and integrity of the game."

The first draft of the guidelines was published for public comment along with other recreational facility guidelines in an advance notice of proposed rulemaking (ANPRM) in the September 21, 1994, Federal Register.

The Access Board staff reviewed the comments and re-drafted a proposed rule, which was published for comment in July 1999. In July 2000, a summary of draft final guidelines was issued. The guidelines became final in 2002.

RULEMAKING HISTORY

1993 – 2002

1993

10 June - Board creates the Recreation Access Advisory Committee and a subcommittee on Golf

1994

13 July - The Advisory Committee submits its recommendations to the Access Board

21 September - The Access Board publishes an Advance Notice of Proposed Rulemaking

1999

9 July - Proposed rule published for public comment

26 August - The Access Board holds public hearing on the proposed rule in Dallas, Texas

17 November - The Access Board holds public hearing in Boston, Massachusetts

8 December - Close of public comment period

2000

21 July - The Access Board publishes a summary of proposed changes to the guidelines for public comment and schedules information meetings

21-22 August - The Access Board holds informational meeting in Washington, D.C.

6-7 September - The Access Board holds information meeting in San Francisco, CA

19 September - Comment period closes on summary of proposed changes

2002

13 August - Office of Management and Budget approves guidelines

3 September - Guidelines published in Federal Register

ALLIANCE FOR ACCESSIBLE GOLF

TOOL KIT

RESOURCES:

USGA Resource Center for Golfers with Disabilities
<http://www.resourcecenter.usga.org/>

National Center on Accessibility
www.ncaonline.org/golf

HOTLINES

Advice about specific ADA compliance issues is available from government experts by contacting the following hotlines:

DOJ Hotline (to speak to a specialist, dial touch-tone 7)
Ph: 800.514.0301
www.usdoj.gov/crt/ada/adahom1.htm

Access Board
Ph: 800-872-2253
www.access-board.gov

Regional Disability & Business Technical Assistance Centers
800.949.4232
www.adata.org

National Golf Course Owners Association
www.ngcoa.org

Golf Course Superintendents Association of America
www.gcsaa.org

Golf Course Builders Association of America
www.gcbaa.org

American Society of Golf Course Architects
www.golfdesign.org

PGA of America
www.pga.com

Ladies Professional Golf Association
www.lpga.com

American Society of Golf Course Architects
www.golfdesign.org

PART II

NATIONAL ALLIANCE FOR ACCESSIBLE GOLF

GOLF COURSE ACCESS CHECK LIST

ACCESSIBILITY GUIDELINES

These guidelines incorporate existing federal guidelines for all buildings, and the proposed federal guidelines for golf courses. These can be applied to golf facilities and are included here as links to web sites which contain extensive checklists. Course managers can utilize these checklists to evaluate the accessibility of their course and facilities.

INSTRUCTIONS

Study these checklists and make sure you understand the elements. Review the elements item by item to see how well your facility complies with ADA Accessibility Guidelines. This process helps you identify areas where changes can be made to make your course more accessible to golfers with disabilities. Remember, the greater the accessibility, the more golfers with disabilities will use your course.

It is important to remember that some states, and some local governments, have accessibility codes that are more stringent than the federal guidelines. Course management should contact state officials in human rights, public health, capital development, or the office of the attorney general to obtain any state laws or regulations that may be applicable to accessibility in golf courses. At the local level, call the municipal building code department and the county building code department.

Here are some specific recommendations on the use of this checklist.

1. Create a **team** to inspect the course. The team approach gives you more perspectives on accessibility and is more likely to result in a better inspection, and more importantly, a better golf course. The team should include a person from the following areas:
 - A. Course management
 - B. Course attorney
 - C. A golf professional at the course
 - D. Operations or Maintenance
 - E. Customers without disabilities
 - F. People with disabilities (preferably someone who plays golf)
 - G. Course Safety Committee (if applicable)

It helps to designate one member of the team as a recorder and others as measurers. This simplifies activity at each site.

2. Have the right tools. To inspect the course, you need:
 - A. This checklist
 - B. A level
 - C. A 25' measuring tape
 - D. ADAAG (28 CFR Part 36, Appendix A)
 - E. State laws or guidelines
 - F. County laws or guidelines
 - G. City laws or guidelines
 - H. Turf spray or something to mark the grass for measurements
 - I. Digital camera
 - J. Other

3. Prior to inspection, have an orientation with the entire team. Discuss the reasons why the checklist is being used. Be sure to note that the checklist will help identify areas where the course does not comply and that by identifying these areas, the course will become better. Describe what will happen after the inspection, and that good faith efforts will be made to bring the course into compliance. Discuss the desire of the course to have more players who have disabilities on the course. Review the checklist and reference materials so that everyone on the team has the same understanding of what is being measured. The more familiar you are with the checklist, the easier it will be to use.
4. During the inspection, carefully measure and count the elements being reviewed. Don't "guess" the number of parking spaces – count them precisely. Don't guess on the height of a ballwash, measure it as described in the checklist.

Measure everything, and don't rush. The absence of notes about an element could mean that you looked and thought it complied, so didn't mark anything. It could also mean you never looked at it. Don't leave this question to someone else's interpretation. If an element is unique and does not match anything described in the checklist, take a digital picture of it for later analysis.

5. If you take digital pictures, use them as examples for common issues that were observed, whether compliant or noncompliant. This saves the time of describing the same issue for every hole or practice area. If pictures are taken, incorporate them into the final report.
6. After the inspection, meet as a team and review notes. You'll find that some elements were missed or that measurements or counts from one member of the team differ from another member of the team. It is also a chance for the team to discuss "close calls", like whether a counter in the pro shop ballwash that misses the proper height by 1/4" is a problem.
7. When drafting the final report, offer factual statements, not opinions. Don't avoid or gloss over areas where you have observed problems. The noncompliant elements will only be resolved once a clear understanding the problem exists. It would also be a good idea to have the attorney review it.

PRIVATE ENTITIES THAT PROVIDE PUBLIC ACCOMMODATIONS

A privately owned golf course, whether for profit or nonprofit, that is open to the public, is subject to title III of the Americans with Disabilities Act. The title III requirements for existing courses are that courses shall make changes to the course or a facility when to do so is "readily achievable". Readily achievable is federalized for "inexpensive and easy to do" and is considered against all the resources of the course. For more about the readily achievable test and how to apply it to golf courses, click on the link provided for Private Courses.

UNITS OF STATE AND LOCAL GOVERNMENT

A golf course owned or operated by a unit of state or local government, such as a municipal parks and recreation department or a course at a state university, is subject to title II of the Americans with Disabilities Act. The title II requirements for existing courses are that courses shall make changes to the course or the facility when such changes are necessary to make the program (of golf) accessible. This "program access" test is different than ready achievability and requires more effort by state and local governments. For more about the Program Access test and how to apply it to golf courses, click on the link provided for State or Local Government Courses.

GETTING STARTED

The following are web sites created by the Access Board to provide guidance to facilities seeking to evaluate their compliance with the ADA and the accessibility of their facilities.

FOR YOUR FACILITIES:

ADAAG Guidelines

<http://www.access-board.gov/adaag/html/adaag.htm>

ADAAG Checklist in HTML

<http://www.access-board.gov/adaag/checklist/a16.html>

ADAAG Checklist in PDF format

<http://www.access-board.gov/adaag/checklist/pdf/a16.pdf>

The above links are all from

<http://www.access-board.gov/indexes/pubsindex.htm>

FOR YOUR COURSE:

<http://www.access-board.gov/recreation/summary.htm#GOLFCOURSES>

PART III

GOLF COURSE ACCESSIBILITY FREQUENTLY ASKED QUESTIONS

1. *What is covered by the Americans with Disabilities Act?*

All golf course operations are covered. The only exception is a private club. However, the law (ADA) is specific in identifying what qualifies as a private club and the U.S. Department of Justice takes an extremely narrow view of the definition of "private." Basically, if you allow any public play on your course or functions at the facility then you are required to comply with the ADA. Even if you do not allow public play, if you open your facility to the public for weddings, receptions, spectators or other events, it in essence becomes a public entity at those times and is covered.

2. *What part of the facility is covered?*

All parts of the facility, including the clubhouse and golf course, are covered. Rules governing the accessibility of the clubhouse are found in the Americans with Disabilities Act Access Guidelines (ADAAG). The final guidelines issued by the Access Board for recreational facilities include guidelines for golf courses, such as the number of accessible tee boxes, accessible golf car passage, greens access and dimensions for weather shelters on the course can be used as guides. Although the guidelines have not been formally adopted by the Department of Justice, they are the starting place for a course to begin to become more accessible. (www.access-board.gov/recreation/status.htm).

3. *Can I ask a golfer who requests accommodation under the ADA if he/she has a disability that is covered by the ADA?*

Yes, you may ask a golfer if they have a covered disability. If the answer is yes, you should provide the accommodation. You should not ask the golfer to tell you what the disability is, you only need to know that they have a disability. A golfer's disability may not be apparent visually. You should take their word for it. Some facilities have information posted in the pro shop that explains the ADA and the definition of a covered disability.

4. *What rights do people with disabilities have?*

The concepts are clear in the ADA: people with disabilities are entitled to the same treatment as people without disabilities. But how does that translate to the daily routine of a golf course? Here are some brief examples of how a golf course can make reasonable accommodations for customers with disabilities.

If a golfer with a disability wishes to bring his or her own golf car to the golf course and use it on the course, let them do so subject to your observation of their use. Your observation should be intended only to assure that the car will cause no more damage to the course than cars you provide. In addition, you may be able to regulate whether the car is battery or gasoline powered. This allows a golfer with a disability who may be a frequent customer at your course, to purchase his own car for use.

Many courses prohibit golf cars from going into certain areas, like the front parking lot, or along a route used heavily by automobiles for insurance reasons. But some golfers may need special consideration. For example, a golfer with a disability may need to transfer from his wheelchair into a golf car or single rider or adapted car. In these cases, they would need to leave their wheelchair in their vehicle. Others with crutches, walkers etc. would be aided by not having to go from the parking lot to the bag drop or pro shop carrying their clubs. There are also devices that require attachment to the golf car and can only be accomplished in the parking lot. Bend your rules and allow that golfer to have a golf car out in the parking lot. In fact, if necessary, have a member of your staff take the golf car out to the lot. The golfer in a wheelchair can't drive the golf car and his wheelchair at the same time.

Course management wants every golfer to come into the pro shop. Those sleeves of balls, shirts, hats, gift certificates, lessons and clubs add up. Welcome golfers with disabilities into your pro shop. If your counter in your existing pro shop is higher than 36", come around the counter to conduct business. Or better yet, reduce the height of a portion of your counter to 36", this nominal cost sends a clear message that you understand some elements of accessibility and are complying where you can. That will translate into return customers. Also, check the width of your aisles to insure that the golfer can get to the counter. They should be a minimum of 36" wide. These are options when dealing with an existing clubhouse. All newly constructed clubhouses would need to comply with ADAAG.

5. *What "rights" does management have?*

As always, the operator has the right to run his or her operation and make a fair and reasonable profit. Management makes the determination to restrict carts to paths or allow no carts if weather or agronomic conditions dictate. Management has no right to treat any individual with a disability in any way differently than another paying golfer. In the event of any litigation, the burden of proof will fall to management to justify his or her action. It is suggested that the owner or operator refer to the resources listed in this tool kit, such as the USGA's *From Bag Drop to 19th Hole*, <http://golfcenterdisabilities.usga.org/>, as they implement policies and procedures.

6. *When do I have to have everything done?*

All areas of your operation should already be accessible and meet ADAAG if built after 1992. The ADA became effective in 1990. If there are elements of your facility not in compliance, planning to make them accessible should begin as soon as possible. The requirements for golf courses covered by title III (privately owned courses) states that "barriers" be removed when it is "readily achievable." Readily achievable is defined as "easily accomplishable and able to be carried out without much difficulty or expense." Just use common sense to make decisions about making your course accessible. A strong, good faith effort towards compliance goes a long way in your defense.

A golf course owned or operated by a unit of state or local government, such as a municipal park and recreation department or a course at a state university, is subject to title II of the Americans with Disabilities Act. The title II requirements for existing courses are that courses shall make changes to the course or the facility when such changes are necessary to make the program (of golf) accessible. This "program access" test is different than ready achievability and requires more effort by state and local governments.

7. *My facility is more than 20 years old and making it accessible will cost too much. Can the work be scheduled on a staggered basis? What are my options?*

Clubhouse facilities and other non-playing surfaces are already addressed under the original ADAAG should be accessible if constructed after 1992. In terms of making the golf course itself accessible the Access Board's final guidelines are the most recent work on the issue in this area (www.access-board.gov/recreation/status.htm). Basically, as you renovate your course, you must make sure that accessibility is part of the plan. There are many architects and golf course builders who have expertise in the ADA and in making golf courses accessible. They will help ensure that you are in compliance. Removing barriers to golfers with disabilities' ability to enjoy and participate in the game is the key. The standard is that privately owned courses must make changes that are "readily achievable."

8. *If it isn't obvious, how can I tell someone has a disability?*

This is a frequent and difficult question. The ADA defines a person with a disability as someone with a condition or disorder that has a substantial affect on one or more major life functions such as walking, hearing, seeing, etc. Temporary conditions are generally excluded, but a severe, long lasting injury could meet the test. The preferred approach is to assume that anyone that identifies themselves as having a disability should be accommodated.

Many individuals who have a permanent disability are eligible for and have a parking permit. While this is not particularly relevant to golf, it is the only standard identification from state to state, and does require medical documentation. A different approach is to provide a flag for a person with a disability or other identifier to everyone who requests it.

Every operation should have a policy that outlines the requirements to be eligible for reasonable accommodations. You may ask a golfer to disclose what their disability is if you choose to do so.

9. *How often should I train my staff on the requirements of the ADA and accessibility of the course?*

As a golf course owner or operator, you should review your policies and the success of their implementation annually. Because of the turnover in frontline employees, training on the ADA and accessibility should be included in all new employee orientation and then a refresher training held for all staff at least once a year.

10. *Are there any tax credits available as I make my business accessible?*

The ADA provides for a tax credit outlining amounts that may be provided in making an existing facility accessible. See www.usdoj.gov/crt/ada/taxpack.htm and <http://www4.law.cornell.edu/uscode/26/44.html>.

11. *We have a telephone automated tee time system. Am I required to make it accessible for people who are deaf or hard of hearing?*

Whether you use a TTY or an automated system someone who is hearing impaired must be able to make a reservation. If a golfer identifies himself as deaf when checking in, please insure someone from your staff or one of his playing partners lets him know when his time is called. Phone systems in every state also have the relay system, where a caller who is deaf can use a third-party to make calls. Course staff should be aware of the relay system for outgoing and incoming calls.

12. *I had a golfer with a disability come in with a friend. The golfer was from Brazil. Does the ADA apply to people from other countries?*

All customers count. The law of the land covers all individuals, with or without disabilities, while they are visiting.

13. *All of my teeing areas have 8" curbing. Do I have to tear it out?*

The draft final Accessibility Guidelines require that one or more teeing grounds on each hole be made accessible, i.e. ability to get a golf car onto the teeing ground. If there are barriers that prohibit access, then they should be removed – or altered to provide a golf car passage. Study your course. Are there artificial barriers that won't permit access to a tee or green such as roping or signage? You should work toward the goal of making it possible for all golfers to have access to the course. It might not be necessary to tear out all curbing. You might be able to cut an opening in the curb to allow access to the tee or fairway, or build a ramp over the barrier. (www.access-board.gov/recreation/status.htm)

14. Our policy is everyone has to rent a golf car, whether they use it or not. If a blind person brings a "coach", do I have to give him a car for free?

So long as you are consistent in your policies toward all customers, you won't violate the ADA. If the 'coach' is not playing golf, then you cannot charge him for the car. However, they don't necessarily need a separate car since they most likely will be riding with the blind golfer.

15. Other players have asked not to play with a golfer with a disability, what do I do?

You should not honor such requests. How would you reply if it were a preference not to play with a woman, or a Hispanic or an African American? Honoring such a request is discriminatory.

16. My course has a lot of water on it and I am afraid a golfer with a disability may drive their cart into the lake.

Anyone that is careless while driving a golf car can run into a water hazard – whether they have a disability or not. All golf car drivers are responsible for driving safely and responsibly. As stated before, you cannot discriminate against people with disabilities and you can't develop policies based on stereotypes or perceptions.

17. I closed the course to all but walkers. Someone with a disability showed up, saw the mowers were let out and then demanded an accommodation.

This situation must be evaluated on a case-by-case basis. The answer does not depend on whether or not mowing equipment is out. An owner is within his/her rights to deny accommodation if it will negatively impact the course. If the course is closed to cars as a result of an agronomic decision such as overseeding, weather, etc., you are within your rights as a business owner. Train your staff to include consideration of the type of accommodation that is being requested (i.e. what if any type of adaptive device is being used) before denying access to the course.

18. Our policy is to allow anyone who needs to, to drive the golf cart as close as 30 feet from the fringe. A customer with a disability demands to drive closer and I have even heard of some driving onto the green. Do I have to allow a golfer with a disability unlimited access with their car – including on to greens?

This situation arises frequently. Golfers with disabilities need full access to the game, including the greens. The ADA requires you to make a reasonable accommodation. The only exception is if weather or agronomic conditions are such that a golf car on the green will cause irreparable damage and significant financial harm. Once again, the burden of proof lies with the golf course operator.

On the issue of golf cars on the greens, product development continues to develop "greens friendly" mobility devices. The PSI of some of these single rider golf cars on the greens surface is no more than or less than the human footprint and less than that applied by motorized mowing equipment. Include information in your golf car policy regarding the appropriate operation of a motorized car on the green. As stated above, the burden of proof, in case of complaint or litigation, will rest on the golf course owner to prove that allowing these mobility devices on greens surfaces will create an undo burden. It is important to be factual when you make this decision and not rely on perceptions or stereotypes.

19. Sometimes when golfers without disabilities follow golfers with disabilities, they complain about the slow pace of play. What do I do?

No player, regardless of disability should slow play. The impact on other players is unacceptable. However, don't focus on the golfers with disabilities to the exclusion of other groups. A golfer with a disability seems to automatically be the focus for charges of slow play when they are not the cause. If in fact an individual with a disability may be slowing down the field, however, perhaps some assistance or lessons might help, just as you would offer for others who slow down play. Training of your marshals and rangers on sensitivity to this is key. Just as you don't want them always singling out women, juniors or senior citizens as the source of slow play, they should not automatically look to your customers with disabilities as the source. A good resource for this issue is the USGA's *From Bag Drop to 19th Hole*, <http://golfcenterdisabilities.usga.org>.

20. I believe golfers with disabilities would have a better experience at my course if they utilized the afternoon tee times. Can I encourage them to come to the course at those times?

All of your customers appreciate knowing good times to play your course. However it is discriminatory to restrict golfers with disabilities to certain times of the day. All players must have equal access.

21. Because my course is flat, more golfers with disabilities come here to play. How can I even things out and let the wear be the same?

Controlling and minimizing wear on a golf course is an issue regardless of the demographics of your clientele. First, meet with your superintendent. Define the areas of wear. Generally, a change in roping direction or some other minor alteration will take care of the problem.

22. I got a phone call yesterday asking about my golf car policy. Should I have one?

Yes. You should have a written accessibility policy that not only spells out how and when golf cars are provided, but also welcomes the golfer with a disability. This should be visible so that golfers without disabilities and all golf course staff are fully aware of your policy. Your policy should state what the ADA requires, that all reasonable accommodations are made. For example:

Green Acre Golf Course welcomes golfers with disabilities. The course will make reasonable accommodations to ensure that golfers with disabilities are able to enjoy the course. See John Jones at the course for more information.

23. Am I required by law to provide single rider golf cars at my golf course?

This issue is the focus of much debate and is being examined by the U.S. Department of Justice. The "law" includes the ADA statute itself, the implementing federal regulations, administrative decisions about golf course disputes, and court decisions. The text of the ADA does not address single-rider golf cars and golf organizations including the National Golf Course Owners Association and Golf Course Superintendents Association of America have asked the DOJ for clarification on this issue.

24. My fellow owners and operators don't see any golfers with disabilities at their courses and don't think there is a problem. Why should I be the first to do something?

The number of outreach programs introducing people with disabilities to the game of golf is increasing. Also, as the population continues to age, many of your regular customers may begin to require some types of accommodation. By the year 2020, one in every four persons

will be 65 years of age or older. Many of these individuals will also have a disability. It is good for business to plan now for the future.

25. *It seems to me that a good strategy is to wait until somebody complains, then address the problem.*

Waiting until someone complains is not a good strategy. In addition to the potential negative publicity, think of all the revenue you may have lost by not addressing the needs of these golfers. Further, if you wait and lose in a court of law or administrative decision, you may also incur the costs of an attorney and maybe the costs of the complainant's attorney.

26. *Do I have to have special clubs for rent for golfers with disabilities?*

No. You are not required to have special clubs available for rent.

27. *I need to restrict golfers with disabilities to certain holes because my course is very hilly. Will this policy put me in violation of the ADA?*

The question of course safety and where it is appropriate for a golfer to take a golf car is the decision of the golf car driver. If there are specific and unique circumstances that concern you, please let the golfer with a disability know before his round. However, you must make your decisions on where golf cars may go applicable to ALL golfers, not just those with disabilities. You may ban all golf cars from certain holes, but not just cars used by golfers with disabilities.

28. *I know it's the right thing to do and good for the game and business, but how do I get more golfers with disabilities to my course?*

Without knowledge about your course, golfers won't come. The same rule applies to golfers with disabilities. If they don't know about your course, they won't come and you will miss out on that market segment. There are numerous opportunities for golf course marketing to people with disabilities. Golfers with disabilities come in all shapes and sizes, and just like other golfers, with varying skills and varying degrees of readiness to golf.

There are as many as 6,000 municipal park and recreation departments throughout the country. All provide recreation opportunities for adults and children with disabilities, and many employ Certified Therapeutic Recreation Specialists. These departments employ specialists who are skilled in recreation program planning and have knowledge of various disabilities. A phone call, a meeting, and an invitation for the parks and recreation agency to use your course and your staff for scheduled golf programs, lessons, leagues, tournaments and clinics for people with disabilities is a great start.

Some people with disabilities learn or relearn golf after an injury resulting in disability. Hospitals and rehabilitation centers employ Certified Therapeutic Recreation Specialists, occupational therapists and physical therapists, all of who have the opportunity to use golf as a rehabilitation tool. These professionals will welcome an approach from a golf course regarding clinics, outings, and lessons for patients from the hospital or rehabilitation facility. To contact these professionals, call your local hospital and ask for the recreation therapy department, occupational therapy department or physical therapy department. Additionally, more PGA and LPGA golf professionals are learning to teach people with disabilities to play golf and are willing to assist. Check with your local PGA Section for the names of these professionals.

29. *Do I have to change my pricing policy?*

It is not necessary to change any policy except to increase accessibility. The key is that all policies must apply equally to all people.

30. *Most of my revenue comes from golf car rental, can I charge a trail fee if someone brings one of those single rider golf cars?*

It depends on what your trail fee policy is for non-disabled golfers. They should be the same. If a trail fee is charged for a golfer without a disability, the same fee can be charged for a golfer who brings a single rider car he or she owns.

If you offer single rider carts and someone wants to use their own single rider car, then you may charge a trail fee; as you would for another golfer who brings his or her own golf car.

If your course is walking only, the person with a mobility disability does not have the option to walk so you must make an accommodation to allow the golf car or single rider car without charging a fee.

FACILITIES

31. *How many accessible parking spaces am I required to have?*

The number of parking spaces required to be accessible to people with disabilities is found in the Americans with Disabilities Act Accessibility Guidelines (ADAAG), www.usdoj.gov/crt/ada/adahom1.htm. These rules, which became effective in 1992, state that you must have at least one accessible parking place per 25 total spaces. Where only one accessible space is provided, it must be an accessible van space. The rules also state that parking spaces should be placed closest to the area/facility being accessed. Therefore, it is also important to consider the placement of those accessible spaces. They should be located where they provide the best access to your facility for golfers with disabilities. For example, near the bag drop and clubhouse entrance. Be sure to check local and state requirements that may exceed federal ADA requirements.

32. *Do I also have to provide parking that is accessible to vans?*

These rules are also found in the ADAAG – one van accessible space is required for every eight spaces that are required to be accessible. Be sure the spaces are cleared for the van user and do not have inappropriate devices such as dumpsters, etc. that would not permit a van to be opened. (www.usdoj.gov/crt/ada/adahom1.htm) Additionally, check local and state requirements, which may exceed ADAAG requirements for accessibility.

33. *I don't allow golf cars in my parking lot. Am I required to allow a playing partner to bring a golf car to the parking lot to assist the golfer with disabilities?*

Some facilities do not allow golf cars in the parking lot for insurance purposes. This may put a burden on the player with a disability in getting to your course. Please examine your procedures, and if golf cars cannot be allowed on your lot, perhaps a golf car attendant can pick up the individual with a disability and his/her equipment in the parking lot. The issue is customer service – making this accommodation will ensure that the customer with a disability has a good experience at your course.

34. *What accommodations have to be made in the clubhouse?*

These are found in the ADAAG (www.usdoj.gov/crt/ada/adahom1.htm).

35. *I contract out my food and beverage operations to another entity. What are my responsibilities in this scenario?*

The ADA applies to all facilities and services – including those operated under contract. If there is a potential problem, corrective action should be taken to insure that people with disabilities have access to all amenities associated with your golf operation.

36. *How wide do the aisles in my retail shop need to be?*

The ADAAG require aisle space in a retail environment to be at least 36 inches wide. In some cases where turning is required, additional space will be needed.

(www.usdoj.gov/crt/ada/adahom1.htm). You should be aware of the guidelines, and always remember to make it easy for any customer, with or without a disability to spend money.

37. *Our dressing room is uni-sex. Is this acceptable?*

Yes. However, it should be wheelchair accessible. Where male and female dressing rooms are provided, they must also be accessible.

38. *If my golf shop cash register and counter are too high to meet ADAAG guidelines, do I have to get a new one?*

Yes if it is “readily achievable.” In addition, staff should have specific training on providing good customer service. Program access is the key to accessibility. Your customers with disabilities should be served as effectively and completely everyone else. So, as an example, your employees would need to be trained to come out from behind the counter to assist the customer with a disability if an existing counter is too high.