



# **Americans with Disabilities Act (ADA)**

## *Steps for drafting essential eligibility criteria (EEC)*

1. Write down **all activities** your program conducts.
2. Break down program/activity into **stages**.
  - Determine what **directions, rules, or etiquette** are required at each stage.
3. Break down specific skills in each stage into **essential elements/functions**.
  - Determine the *basic* **physical, mental, and emotional abilities** needed to participate safely in the program/activity, including *basic* **strength, capabilities, and skills** needed to manage risk.
  - Determine **equipment** involved/needed.
  - Consider need to manage **self-care/well-being**.
  - Can a **companion** or **adaptive equipment** help facilitate?
4. When drafting, use **simple, understandable, inclusive, non-exclusionary language**.



**P I N N A C L E**

RISK STRATEGIES

LEGAL SERVICES

# Americans with Disabilities Act (ADA)

## *Essential eligibility criteria (EEC) action steps.*

1. Consider talking with an ADA Technical Assistance Center.
2. Write down draft EEC (see reverse side).
3. Run by others in your organization.
4. Have legal counsel review your draft EEC.
5. Revise your EEC.
6. Post EEC on your website and other materials. Draft and post a non-discrimination statement.
7. Develop health/medical forms that are aligned with and complement your EEC.
8. Review policies to assure they do not discriminate against or screen out individuals with disabilities (except for risk management/safety reasons).
9. Train staff how to understand and use EEC, particularly when talking with prospective participants. Encourage transparent information exchange and healthy dialogue.
10. Apply EEC equally to every prospective participant.
11. Determine if a person can participate in your program with or without modifications (fundamentally alter program? undue burden (for aids/services)? direct threat to safety?).
12. If necessary, decide whether a person can participate in the program with/without modifications.
13. Document your decisions.
14. Get feedback on your EEC.
15. Evaluate how your EEC are functioning.
16. And then . . . **review, revise, revisit, repeat.**