

Title II-State and Local Government Building Accessibility

- **Do state and local government buildings have to be physically accessible?**
 - Typically, yes. State and local governments are required to follow specific architectural standards in the new construction and in alterations of their buildings.
 - However, the ADA standards apply only to new buildings and facilities or when a state or local government makes changes to an existing building.
 - If a program or service is in an inaccessible building, state or local governments may need to relocate that program to a part of the building that is accessible.
 - Architectural barriers that are easily removable without much difficulty or expense in existing buildings should be removed.
 - Public entities are not required to make changes that would result in undue financial and administrative burdens. Whether or not something is considered an “undue burden” is a decision that must be made by a high-level official within the office.
 - If a requested change is determined to be an undue burden, the public entity is required to make reasonable modifications to policies, practices, and procedures where necessary to avoid discrimination, unless they can demonstrate that providing the requested accommodation would fundamentally alter the nature of the service, program, or activity.
 - A fundamental alteration is any change in the essential nature of the entity’s programs or services. Any change that is a fundamental alteration is not considered reasonable and not required.
 - More information about building accessibility and ADA standards can be found at this link: <https://www.ada.gov/resources/title-ii-primer/>
 - You can reach the ADA information line at 800-514-0301 and the Access Board for technical assistance with ADA guidelines at 800-872-2253