

## Accessibility to Church Buildings

Providing buildings that are accessible to all persons, including those with physical disabilities and limitations, should be the goal of every church. Over the last 40 years, clear guidelines have been developed that define an accessible space as it relates to mobility, sight and hearing limitations.

What then are the guidelines churches should use in providing accessibility?

### 1. Federal Law

The Americans with Disabilities Act ("A.D.A.") was enacted in 1990 with the stated purpose of eliminating discrimination against individuals with disabilities by focusing on four areas:

- ♿ Employment (Title I)
- ♿ Public services provided by governmental entities (Title II)
- ♿ Public accommodations and services provided by private entities (Title III)
- ♿ Telecommunications (Title IV)

The section of the act directly related to church facilities is Title III, which exempts "religious organizations or entities controlled by religious organizations, including places of worship." However, portions of a church's facilities may come under Title III requirements as a result of Title I (Employment) regulations. This section could affect churches with 15 or more full time employees, in their workplace areas. Also, churches which lease their facilities to other organizations, such as a school or day care, might be required to incorporate accessibility guidelines in those portions of the church's buildings.

It is important to remember that A.D.A. was passed as civil rights legislation, not as a building code. Recommended accessibility design guidelines were included with the A.D.A., but the spirit of the legislations allows for reasonable solutions to many design questions.

In September of 2010 the ADA was updated. While more detailed, the new guidelines provide variances that make compliance (construction) easier.

### 2. Texas Law

Accessibility for all buildings is governed by the Texas Accessibility Standards (TAS), effective March 15, 2012. These standards are enforced by the Texas Department of Licensing and Regulation. This legislation used the A.D.A. accessibility guidelines as its source, but no

specific exemption for churches was initially provided. In May of 1995, TAS was amended to include the following statement:

*"The standards under this article do not apply to a place used primarily for religious rituals within either a building or facility of a religious organization."*

This exemption is currently interpreted by the State of Texas to include only the room in which "religious ritual" (worship) occurs, as defined by the church and their architect. The church should select an architect that clearly understands TAS and who will design the building and site to comply with TAS requirements.

### 3. Local Regulations

In addition to state accessibility requirements, most incorporated areas in Texas have adopted some form of national model building code, all of which include accessibility requirements. Common model codes used in Texas include the International Building Code and NFPA 1. Cities also may adopt their own accessibility ordinances which may exceed state and model building code requirements.

### 4. Responsibilities of the Church

Obviously, there are overlapping regulations and bureaucracies who enforce accessibility. As the bottom line though, churches in Texas must provide accessible buildings that meet:

- ♿ Texas Accessibility Standards, with the exemption listed previously
- ♿ Local accessibility ordinances

Beyond federal, state and local requirements, churches must consider a higher calling to provide buildings that are not stumbling blocks to all who would come.

### 5. More Information on Accessibility

- ♿ Church Architecture, Baptist General Convention of Texas (214) 828-5125, [www.texasbaptists.org/architecture](http://www.texasbaptists.org/architecture).
- ♿ Texas Department of Licensing and Regulation (re: TAS) (512) 463-3211, [www.license.state.tx.us/ab/ab.htm](http://www.license.state.tx.us/ab/ab.htm)
- ♿ United States Access Board, (re: A.D.A.) (800) 872-2253
- ♿ Local architects and building officials