

This policy guideline is intended to accommodate access to all while assuring the safest and most responsible experience for all. We believe this policy to conform to Federal and State Law. However, this policy is open to input and amendment as it pertains to those laws. Should you believe this policy does not fully conform to required guidelines as it pertains to any aspect of those laws, it is expected that you should and will communicate those beliefs or concerns so that we may make a reasonable determination as to any child's participation and access. This stated policy is therefore not the final determination of any standing policy but rather is a guideline of our beliefs as it pertains to safety and law and not a statement of non access to our accommodations. Such communication should include specific reason, details and statutory basis for those beliefs. You may forward that communication to bayadventurecamp@gmail.com for review.

ADA Compliance and Accessibility

Bay Area Adventure Camps and Adventures Around the Bay (BAAC) welcomes all children regardless of disability or condition to participate in any camp program. Where the nature of a child's disability or condition may potentially place either the child him/herself or others in danger or direct threat, or where accessibility is in question, BAAC contractually requires the parent or guardian of the child to include a full and complete detail of the condition.

Such detail would offer the severity of the condition, the nature of the condition, any medical requirements, any supervisory requirements, any potential hazards the child's condition may present to him/herself or others and any other thing which may be required from us so that we may reasonably accommodate the child and his/her or other's safety or access, whether any action is required on our part that is readily achievable and poses no undue burden on the program or our ability to adequately and reasonably safeguard the health and safety of the camper or others. Without proper notice and detail BAAC is unable to prepare appropriately nor to make determination as to a readily achievable policy, action, training or procedure.

In order to provide or determine the best course of action especially in cases where young children incapable of making responsible decisions as to life and health is left in the sole care and responsibility of BAAC and to determine the existence of actual risks with regards to safety in any special circumstance, BAAC must be afforded the information necessary to make that determination.

Such detail may require a statement by the child's medical or condition related specialist.

Such detail disclosure requirement is supported by and based upon

1) ADA Subpart C -- Specific Requirements Sec.36.301 Eligibility criteria. *(b) Safety. A public accommodation may impose legitimate safety requirements that are necessary for safe operation.*

2) Sec.36.208 Direct threat.*(a) This part does not require a public accommodation to permit an individual to participate in or benefit from the goods, services, facilities, privileges, advantages and accommodations of that public accommodation when that individual poses a direct threat to the health or safety of others.*

US Supreme Court has allowed that the threat to oneself is also included. [*Chevron USA, Inc. v. Echazabal*](#), 536 U.S. 73 (2002).

Supervision Concerns:

BAAC takes its responsibility to ensure the safety of your child to the utmost seriousness. The nature of adventure camps, especially when out in large field trips in crowded public accommodations whereby 1 adult staff person is responsible for between 4 and 8 children or on sports fields with groups of up to 50 or more children varying in age from 5-14 years of age and staff ratios of 8:1 or more requires a minimum level of ability for campers to be expected to pay attention and follow reasonable instructions. Where the nature of a child's disability will (or may) cause a very real supervisory danger, considerations of access and reasonable accommodation must be reviewed.

Such reasonable accommodation may include up to refusal of access or full access to all camp activities but require a dedicated, one on one person responsible for the supervision of that child. Such provision would be the responsibility of and at the cost of the parent or guardian of that child.

Medical Concerns:

BAAC staff is comprised of non medical professionals without the knowledge or training required to make major or even minor decisions as to the medical needs of a child beyond basic first aid (*defined as the provision of initial care for an illness or injury*) or to store or dispense medications.

BAAC does not accept for storage or administer medication of any kind. This ranges from offering aspirin for an ache or neo-sporin on a cut or scrape, to prescribed medications which need to be taken during the day. BAAC will however, under written authorization and release by the parent remind a camper of a time in which they need to take scheduled medication.

BAAC does not accept for storage or agree to administer specialized, surgically administered and prescribed medications which require special medical certification to administer and advanced medical knowledge and ability to properly diagnose need.

Forfeiture of Service: Failure by the parent or guardian to properly detail and disclose any condition which may or may not require special accommodation to ensure the safety of their child and others while in BAAC care, by contract will (*not may*) forfeit service. Such a contractual forfeiture is actionable not for reasons of disability or accessibility but of communicability.