

# **Guidelines for Pricing Tickets and Assigning Seats for Persons with Disabilities at Accessible Performances**

What accommodations does a performing organization or venue need to make for:

- persons who use American Sign Language (ASL) interpreting or Audio Description services?
- persons using wheelchairs who attend performances?
- persons using assisted listening equipment located in certain seating areas?

## **RESERVING SEATS**

If the theatre has announced that only one or two performances of a production will be ASL-interpreted or Audio Described, it should reserve some spaces for persons who may ask to use those services, rather than sell every available seat. If all seats are sold to the accessible performances, and a patron who is deaf/hard of hearing or blind/low vision asks for the ASL or Audio Described show a reasonable length of time before the performance, the theatre may need to provide an additional interpreted or described performance.

A deaf person who needs to watch both an ASL interpreter and the stage action needs to sit in an area that makes that possible. If the interpreting area is downstage right, for instance, the deaf audience area should be in the front dozen or so rows on that side of the theatre where they can see the interpreter's signs or facial expressions, rather than at the rear of the auditorium where they could not, or at the center or other side of the auditorium where they would need to constantly shift focus from the interpreter to the performers.

Depending on the extent of a venue's physical accessibility, areas for wheelchairs may be located at the rear of the auditorium, in the front row, along one of the aisles or at some place that can be reached without having to navigate steps. Theatres can make some seats removable so that non-disabled patrons can use the seats if patrons in wheelchairs aren't present. Chairs adjacent to the wheelchair area should be made available for the companions of wheelchair-users. In some cases, a person in a wheelchair may be able to transfer to a theatre seat, but this is not always possible.

## **TICKET PRICING**

If a venue charges everyone the same price (e.g., \$10) for all seats and performances, then further price accommodations for persons with disabilities are generally unnecessary.

However, if a performing organization/venue provides a variable pricing system for tickets to its events (e.g., higher prices for "better" seats or prime night performances) but offers ASL interpreting or Audio Description at a limited number of performances, then it is good policy to be equitable to those audience members whose choices are limited, for instance, to one show while the rest of the public can choose from 5 or 25 performances. If the physical space of a venue determines where the disabled person will sit, then the pricing structure needs to be accommodating. For instance:

- If the accessible wheelchair seating is in the center loge, which has the highest price, but other people can buy cheaper tickets in the mezzanine or balcony, those lower price options must be available to the wheelchair-user.
- If persons who are deaf need to sit in the fourth or fifth row, right, to see the interpreter(s) and thus fully comprehend the dialogue, they should not be penalized by having to pay the highest ticket price.

- If assistive hearing hookups are located only in the most expensive seating area, or if an audio description signal can only be received in a higher-priced area, a price accommodation should be made for persons having to use those services.
- If the accessible performance is on a Friday or Saturday, which is priced higher than Thursday or Sunday, the person who is blind or deaf should be charged the lower rate, thus giving that person the same option all other ticket-buyers have.
- Since people with disabilities are social beings, a theatre should extend ticket price accommodations to nondisabled companions if requested. The venue can decide whether to accommodate one companion or more than one at this price.
- If a theatre offers three ticket prices depending on seating area, the lowest price should be available to the deaf/blind person at least until all those are sold out. Then the next lowest price should be offered until all those are sold before forcing the person to buy the most expensive ticket.

### **OTHER POINTS**

- If an arts organization receives federal money or grants from the State Arts Board, and has not designated any ASL or Audio Described performances, it must make a reasonable effort to provide an accommodation if requested or risk losing its federal or state money.
- The cost for providing the accommodation (e.g., an interpreter) cannot be assessed back to the person making the request because that would discriminate against the person on the basis of disability.
- It is good practice for a theatre to work with interpreters and describers to schedule accessible performances as far in advance as possible. If the dates and policies are announced in season brochures and other advance publicity rather than days or a few weeks in advance, the theatre is telling the intended audience that they are valued patrons, and there is more opportunity to reach prospective audience members, take advantage of tie-in publicity from organizations serving deaf or blind people, etc.
- If the theatre chooses to require advance notice of using the ASL/AD service (e.g., 48 hours or one week), but other patrons can buy tickets the night of show, it may be discriminating on the basis of disability.

This interpretation of the Americans with Disabilities Act (ADA) is based on Title III: Public Accommodations, Section 302 (Prohibition of Discrimination by Public Accommodations), Part (b)(1)(A)(ii) Participation in Unequal Benefit and (2)(A)(ii) which states: "...discrimination includes a failure to make reasonable modification in policies, practices, or procedures, when such modifications are necessary to afford such goods, services, facilities, privileges, advantages, or accommodations to individuals with disabilities, unless the entity can demonstrate that making such modifications would fundamentally alter the nature of such goods, services, facilities, privileges, advantages, or accommodations."

An organization's ADA Access Committee should address issues like these in an organizational Access Plan. For assistance on this subject or other arts accessibility questions, contact VSA arts of Minnesota, 612-332-3888 (voice/TTY), 800-801-3883, Fax 612-305-0132, [jon@vsaartsmn.org](mailto:jon@vsaartsmn.org), 528 Hennepin Ave., #305, Minneapolis, MN 55403.