

CR5 - Proposed Addition to Contest Rules, Section 9.3

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Background and amendment language provided by: Lindsay Cuthill

1. EXISTING TEXT

9.3. Competition Area Guideline: Whenever possible: 1) A competition area shall be marked off to the following specifications: Band Circle - 26 feet diameter; Adjudicators Circle - 46 feet diameter; Spectators Barrier - 60 feet diameter. The starting line will be marked forty five (45) feet from the center of the concentric circles. 2) A final tuning area shall be clearly designated and located approximately one hundred fifty (150) feet away from the starting line. The final tuning area will be at least twenty-five (25) feet in diameter.

There are currently no subsections 9.3.1 through 9.3.4.

2. PROPOSED TEXT

The entire following language is **new language proposed for addition to section 9.3**. Because the entire section is new, I have not bolded every individual word.

9.3.1. Performance and Marching Accommodations

Stationary Performance: A competitor with mobility impairments is allowed to stand or sit in a stationary position while the rest of the band or group executes the standard marching pattern.

Circle Adjustments: The traditional competition circle format will be modified to accommodate a competitor in a wheelchair or scooter so they have adequate space and a clear line of sight to the Pipe Major.

Proximity Exemptions: A player is granted permission to stand slightly outside or behind the standard band formation if required by an assistive device or physical limitation.

9.3.2. Instrument and Equipment Modifications

Adaptive Gear: The use of modified harness systems, customized drum stands, or adapted piping equipment is permitted to allow a musician with physical limitations to play.

Exemption from Uniformity: Strict uniform rules are waived if a disability prevents a competitor from wearing specific gear (such as heavy sporrans, standard brogues, or tightly bound kilts) or requires the use of orthopedic footwear.

9.3.3. Event Logistics and Access

Accessible Routes: The path from the tuning parks to the competition circle or stage must be fully accessible and free of stairs, steep inclines, or heavy mud.

Assistant Access: A dedicated assistant or handler is permitted to accompany the competitor into the competition arena to help set up instruments, adjust drum stands, or guide a visually impaired musician.

Flexible Scheduling: Minor adjustments to the competition draw or order of play are allowed if a competitor requires additional time between events due to a medical condition.

9.3.4. Legal Limits of Accommodations

Fundamental Alterations: An association can legally deny a request if it alters the core musical standard—such as asking to use a pre-recorded track or an electronic piping device that does not use traditional fingerwork.

Safety Concerns: Accommodations can be restricted if an assistive device poses a direct, demonstrable safety hazard to other competitors marching in tight formations.

3. RATIONALE / ABSTRACT

The submission does not label a separate section "Rationale." It provides the following Abstract and explanatory language:

Pipe band associations and Highland Games must comply with the Americans with Disabilities Act (ADA) by providing non-discriminatory access to their events, facilities, and competitions. This generally requires the provision of accessible spectator seating, accessible routes (such as ramps to stages or contest areas), and auxiliary aids or reasonable policy modifications for disabled competitors and attendees.

While ADA guidelines do not alter the fundamental musical requirements or judging criteria of piping and drumming, they mandate the following:

1. Venue and Event Accessibility

Barrier Removal: Any physical contest location must provide physical accessibility, including accessible routes and compliant parking.

Public Accommodations: Private and non-profit associations are covered under ADA Title III when hosting public events (like Highland Games) or providing ticketing and credentialing.

Spectator Seating: Massed bands and solo competitions in bleachers or stadiums must offer designated accessible viewing areas and companion seating.

2. Reasonable Accommodations for Competitors

Modifications: Associations must make reasonable policy changes to ensure disabled pipers and drummers are not excluded from participating. For example, allowing a competitor who cannot physically march in a circle (due to mobility restrictions) to stand on the sidelines without penalty.

Service Animals: Handlers of ADA Service Animals must be allowed to bring their task-trained animals into event and competition areas.

Sensory Accommodations: Many Scottish festivals and parades establish designated "quiet zones" where bands play silently to avoid sensory overload for neurodivergent attendees or competitors.

3. Governance and Local Context

In the US, regional governing bodies such like WUSPBA are subject to the ADA for the events and administrative services they operate.

NOTE: If an association operates as a strictly private membership club, it is generally exempt from certain ADA public accommodation requirements, but this exemption vanishes when they open competitions, festivals, or ticketing to the general public.

For disabled pipe band competitors, the Americans with Disabilities Act (ADA) requires associations to grant reasonable modifications to competition rules, provided they do not fundamentally alter the nature of the contest (See Subpart C 36.302 modifications in policies, practices, or procedures).