

**RESOLUTION AGREEMENT**  
**Massasoit Community College**  
**OCR Complaint No. 01-18-2205**

Massasoit Community College (College) has voluntarily entered into this agreement to resolve the allegations in the above-referenced complaint. The College assures that it will take the following actions.

The College agreed to resolve this complaint prior to the completion of OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*.

**Interior Double Doors next to FA220 in the Fine Arts Building**

1. By September 6, 2019, the College will ensure that the interior double doors next to FA220 in the Fine Arts Building are accessible to persons with disabilities by adjusting the required opening force of the interior double doors to no greater than five pounds of force, in accordance with Section 404.2.9 (1.) of the 2010 ADA Standards for Accessible Design (2010 Standards).

Reporting Requirement: By September 6, 2019, the College will provide documentation to OCR (e.g., copies of invoices, photographs) confirming completion of the adjustment of the door opening force of the double doors next to FA220.

**Student Center Bathroom**

2. By September 6, 2019, the College will ensure that the single-user bathroom in the Student Center building is accessible to persons with disabilities by adjusting the required opening force of the single-user bathroom to no greater than five pounds of force, in accordance with the Section 404.2.9 (1.) of the 2010 Standards.

Reporting Requirement: By September 6, 2019, the College will provide documentation to OCR (e.g., copies of invoices, photographs) confirming completion of the adjustment of the door opening force of the single-user bathroom.

3. By September 6, 2019, the College will ensure that the single-user bathroom in the Student Center building is accessible to persons with disabilities by moving the wastebasket, hand sanitizer, and any other objects that protrude into the door clearance to ensure that there is at least 18 inches of maneuvering clearance beyond the latch side plus 60 inches clear depth, in accordance with Table 404.2.4.1 of the 2010 Standards.

Reporting Requirement: By September 6, 2019, the College will provide documentation to OCR (e.g., photographs, measurements) confirming that the clearance for the single-user bathroom in the Student Center complies with Table 404.2.4.1 of the 2010 Standards.

4. By September 6, 2019, the College will adjust the closer for the single-user bathroom in the Student Center building so that it takes at least 5 seconds to close from an open position of 90

degrees to a position of 12 degrees from the latch, in accordance with Section 404.2.8.1 of the 2010 Standards.

Reporting Requirement: By September 6, 2019, the College will provide documentation to OCR (e.g., video) confirming that the closing speed for the single-user bathroom in the Student Center complies with Section 404.2.8.1 of the 2010 Standards.

### **Policies and Procedures**

5. By September 6, 2019, the College will develop a policy and procedures to: (i) periodically assess the opening force of the single-user bathroom door in the Student Center and the Fine Arts interior double doors near FA220, and make adjustments as necessary to ensure that the opening pressure does not exceed five pounds; and (ii) to periodically assess the closing speed on the single-user bathroom door in the Student Center, and make adjustments as necessary to ensure that the closing speed is no less than five seconds. The College will designate an individual(s) responsible for implementation of the policy and procedures.

#### Reporting Requirement:

- a. By September 6, 2019, the College will submit its proposed policy and procedures for review and approval by OCR.
  - b. Within 30 calendar days of OCR's approval, the College will implement and disseminate the policy and procedures, and disseminate the policy and procedures to relevant College employees (including those in Facilities, Disability Services, and Administration). The College will provide OCR with documentation that it has completed this item, including copies of written notices to employees or a link to any website containing the policy.
6. By September 6, 2019, the College will develop and implement (i) a system for students, employees, and visitors to raise concerns regarding the physical accessibility of the College, and (ii) procedures for responding to such concerns. The College will designate an individual(s) responsible for implementation of overseeing the system and procedures and the College's response. This complaint system should also notify students and employees that they also have the option to file a formal grievance with the XXXXX XXXXXXXXXXXX XXXXXXXX.

#### Reporting Requirement:

- a. By September 6, 2019, the College will submit its proposed system and procedures for review and approval by OCR.
- b. Within 30 calendar days of OCR's approval, the College will implement and disseminate the policy and procedures. The College will make this information available through the College's website and any other additional means of notification the College deems effective to ensure that the information is disseminated. The College will provide OCR with documentation that it has completed this item, including copies of written notices to students, parents/guardians, administrators, and staff, and a copy of any publications (such as student handbooks) or a link to any website containing the policy.

7. By September 6, 2019, the College will revise the Accessibility Section of the Student Handbook to refer students to the new system and procedures described in Action Item 6.

Reporting Requirement: By September 6, 2019, the College will provide documentation to OCR that the College has revised the Student Handbook to refer to the new system and procedures.

**Training**

8. By September 6, 2019, the College’s XXXXX XXXXXXXXXXX XXXXXXX, who also serves as the College’s XXXXXXX XXX and XXX XXXXXXXXXXXXXXX, and the Current XXXXXXXXXXXXXXX Director receive training regarding the responsibilities, including physical accessibility, of postsecondary institutions under Section 504 and Title II.

Reporting Requirement: By September 6, 2019, the College will provide documentation that the XXXXX XXXXXXXXXXX XXXXXXX (XXXXXXXX XXX / XXX XXXXXXXXXXXXXXX) and the Current XXXXXXXXXXXXXXX Director attended this training.

The College understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the College understands that during the monitoring of this Agreement, if necessary, OCR may visit the College, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the College has fulfilled the terms and obligations of this Agreement. Upon the College’s satisfaction of the commitments made under the Agreement, OCR will close the case.

The Recipient understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR shall give the Recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

The Agreement will become effective immediately upon the signature of the College’s representative below.

By: \_\_\_\_\_/s/\_\_\_\_\_ Date: \_\_\_\_\_  
William Mitchell  
Vice President for Administration & Chief Financial Officer