

RESOLUTION AGREEMENT

Case No. 02-14-2075 CUNY Hunter College

In order to resolve the compliance concerns in Case No. 02-14-2075, CUNY Hunter College (the College) assures the U.S. Department of Education, New York Office for Civil Rights (OCR), that it will take the actions detailed below pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 794 *et seq.*, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35.

Action Item 1:

By October 15, 2014, the College will determine whether it will develop an alternate plan to ensure that the rooms in the North Building are accessible to blind or visually impaired individuals; or, whether it will add Braille signage to resolve the compliance concerns noted in Appendix A. Any Braille signage must conform to the 2010 ADA Standards for Accessible Design, with a completion date for all signage to be made by January 1, 2015.

Reporting Requirements:

- a) By October 15, 2014, the College will notify OCR whether it will develop an alternate plan to ensure that the rooms listed in Appendix A are readily accessible to individuals who are blind or visually impaired; or, whether it will add Braille signage to achieve accessibility for such individuals.
- b) If the College chooses to develop an alternate plan to achieve accessibility, then by October 15, 2014, the College will provide a copy of that plan to OCR for review and approval.
- c) If the College chooses to make structural changes to achieve accessibility, then by October 15, 2014, the College will provide to OCR (i) a plan for adding Braille signage, for OCR's review and approval, with a completion date for all Braille signage to be made by January 1, 2015 and (ii) a plan, for OCR's review and approval, for ensuring that the rooms in the North Building are readily accessible to individuals who are blind or visually impaired until the addition of the Braille signage. Further, by January 15, 2015, the College will provide documentation to OCR (e.g., photographs, measurements, summaries, etc.) demonstrating that Braille signage has been added that complies with applicable accessibility standards. OCR may conduct an on-site visit to confirm that any signage was completed consistent with applicable accessibility standards.

Action Item 2:

By January 1, 2015, the College will make the changes to Braille signage as set forth in the attached Appendix B.

Reporting Requirement:

By January 15, 2015, the College will provide OCR with documentation (e.g., copies of paid invoices, photographs, etc.) confirming completion of each compliance concern listed in Appendix B. OCR will then schedule an on-site visit to inspect the renovations.

The College understands that OCR will not close the monitoring of this agreement until OCR determines that the College has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. § 104.21, and the ADA, at 28 C.F.R. § 35.149, which were at issue in this case. The College also 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 this 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 of this agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. § 104.21, and the ADA, at 28 C.F.R. § 35.149, which were at issue in this case. The College understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10) or judicial proceedings to enforce this Agreement, OCR shall give the College written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

CUNY Hunter College

Date: August 12, 2014

/s/
By: _____
[Authorized Official]

Appendix A¹
Existing Facility
North Building Classrooms

Building/Facility	North Building
Date of Construction	1940
Accessibility Issues:	<p><u>Lack of Braille Signage</u></p> <ul style="list-style-type: none"> • Classrooms and restrooms identified herein lacked Braille signage. [Interior signs identifying permanent rooms and spaces, such as restrooms, room numbers, and room names, shall be provided. Tactile text descriptors are required for pictograms that are provided to label or identify a permanent room or space. Where both visual and tactile characters are required, either one sign with both visual and tactile characters, or two separate signs, one with visual, and one with tactile characters, shall be provided. Raised characters shall also be duplicated in braille. 2010 ADA Standards 216.2; 703.1; 703.2; 703.3; and 703.5] • <u>16th Floor</u> [Room Nos. 1659 (restroom), 1608 (Zobart Art Library), 1608A (restroom), 1605 (climate lab), 1604 (art studio – media lab), 1603 (art studio), 1600 (art studio – drawing lab)]. • <u>15th Floor</u> [Rooms Nos. 1574 (animal lab), 1571 (animal lab), 1525 (animal facility), 1510 (research lab), 1500A (faculty office), 1500B (faculty office), 1500C (faculty office), 1500 D (faculty office)]. • <u>14th Floor</u> [Room Nos. 1456 (restroom), 1455 (restroom), 1451 (lab), 1417 (lab), 1415 (research lab), 1414 (preparation lab), 1410 (research lab), 1409 (prep lab), 1408 (faculty office), 1407A (faculty office), 1406C (research lab), 1406 (lab), 1405 (research lab), 1404 (lab), 1401 (moto chemical research laboratory), 1400D (faculty office), 1400C (faculty office), 1400B (staff office), 1400 (research lab)]. • <u>13th Floor</u> [Room Nos. 1357 (women’s restroom), 1356 (restroom) 1322 (research lab), 1321B (faculty office), 1321A (faculty office), 1320 (electronics shop), 1319 (faculty office), 1319B (faculty office), 1319A (research lab), 1315B (research lab), 1313A (staff office), 1312 (faculty office), 1308 (faculty office), 1307B (staff office), 1307A (faculty office), 1306 (research lab)]. • <u>12th Floor</u> [Room Nos.1257 (restroom), 1256 (office), 1256A (office), 1254 (research lab), 1247 (office of chairperson), 1246 (research lab), 1245 (research lab), 1242 (office- lab tech), 1241 (research

¹ Any alterations would need to be made consistent with current accessibility standards. Accordingly, all citations refer to the 2010 ADA Standards for Accessible Design.

	<p>lab), 1240B (research lab), 1240A (research lab), 1239 (class lab), 1238 (faculty office), 1237 B,C (research lab), 1237 A (faculty office), 1236 (graduate asst. office) 1233 (research lab), 1233A (office –research), 1231 (research lab), 1230B (machine shop), 1230A (class lab), 1230B (machine shop), 1227 (faculty officer), , 1225 (department office), 1224 and 1226A (office reception), 1218 (office), 1217 (research lab), 1216 (faculty office), 1215 (faculty office), 1209A-B (tutoring rooms), 1205 (faculty office), 1204 (faculty office), 1203 (faculty office), 1202?, 1201 (staff office)]</p> <ul style="list-style-type: none"> • <u>11th Floor</u> [Room Nos. 1183 (painting studio), 1182 (faculty office), 1181 (faculty office), 1172 (sculpture studio), 1167C-1167A (lockers), 1166 (telephone), 1165, 1154-61 (faculty offices), 1119-1146 (faculty offices), 1109-1116 (photography classrooms), 1101 (photography dark room)]. • <u>10th Floor</u> [Room Nos., 1032 (adj. faculty office), 1031 (server room), 1030 (adjunct faculty office), 1029 (faculty office), 1028 (NY Center for Graphic Learning), 1020 (geochemistry lab), 1008 (office), 1006 (department office), 1005 (restroom), 1004 (conference seminar room), 1090A-K, (computer lab) Lab A (computer lab), Lab B (computer lab), Lab C (computer lab), Lab D (computer lab), Lab E, (computer lab) Lab F (computer lab), 1003(A-D) (computer lab), 1000J (tutoring), 1000G (computer lab)]. • <u>9th Floor</u> [Room Nos. 938 (research lab), 919A-D (faculty office/lab, 914 (research lab), 914D (faculty office/research lab), 913A (microscope room), 913 (research lab), 910 (research lab), 903 (research lab)]. • <u>8th Floor</u> [Room Nos. 840 (research lab), 839 (student office), 838 (faculty office), 833A&B (research lab), 830 (lab – evolutionary biology information), 826 (A,B,C) (research labs), 825 (prep room/ washeteria), 823 (research lab), 822 (prep office), 821 (research lab), 820 (research lab), 819 (staff office), 818 (staff office), 815 (teaching lab), 813 (teaching lab), 812 (teaching lab), 810 (Goldfarb biology lab), 803 (research lab), 805 (research lab), 807 (research lab), 802 (research lab), 800 (research lab)]. • <u>7th Floor</u> [Room Nos. 757 (staff office), 756 (men’s restroom), 742 (faculty office), 738(A-D) (test rooms), 733 (faculty office), 731B (faculty office), 731A (research lab), 730 (teaching lab), 724-728 (library/faculty offices), 723 (department office), 722 (staff office), 721 (chairperson office), 718 (faculty office), 716 (adjunct faculty office), 715 (faculty office), 713 (faculty office), 712 (faculty office), 710 (library – conference room), 709 (faculty office), 708 (Goldfarb research office), 707 (faculty office), 706 (faculty office), 704 (faculty office), 703 (faculty
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	<p>office), 702 (research lab), 701 (A-B) (faculty offices)].</p> <ul style="list-style-type: none">• <u>6th Floor</u> [Room Nos., 628-633 (animal lab), 621 (research lab), 609 (A-B) (program office), 608 (faculty office), 607 (faculty office), 606A (graduate lab), 605 (research lab), 604 (research lab), 602 (research lab), 601 (research lab)].• <u>5th Floor</u> [Room Nos. 544A, 529 (faculty office), 528 (faculty office), 527 (office), 526(offices)]• <u>3rd Floor</u> [Room Nos. 357 (computer lab), 302 (computer lab), 300 (staff offices)]• <u>1st Floor</u> [Room Nos. 145 (women’s and men’s restrooms)]
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**Appendix B²
New Construction
North Building**

Building/Facility	North Building
Date of Construction	1992 to 2012
Accessibility Issues:	<p>Signage of rooms and offices</p> <ul style="list-style-type: none"> • Classrooms and restrooms identified herein lacked Braille signage. [Interior signs identifying permanent rooms and spaces, such as restrooms, room numbers, and room names, shall be provided. Tactile text descriptors are required for pictograms that are provided to label or identify a permanent room or space. Where both visual and tactile characters are required, either one sign with both visual and tactile characters, or two separate signs, one with visual, and one with tactile characters, shall be provided. Raised characters shall also be duplicated in braille. 2010 ADA Standards 216.2; 703.1; 703.2; 703.3; and 703.5] <ul style="list-style-type: none"> • Room Nos. 1608, 1606, 1605, 1604, 1603, 1602, 1602A, 1601, 1600, 1528, 1416, 1412, 1406, 1404, 1305, 1300, 1241N, , 1102, , 1001, 1000(A-H), 913C, 834, 734, 700, 627B, 619, 620, 622, 623, 624, 625, 626, 614, 537, 536, 310-35, 157, C115, 1500E • Braille signage identified herein is not placed at appropriate height or location. [Tactile characters on signs shall be located 48 inches minimum above the finish floor or ground surface, and 60 inches maximum above the finish floor or ground surface; Where a tactile sign is provided at a door, the sign shall be located alongside the door at the latch side; 2010 ADA Standards 216.2; 703.4.1, 703.4.2] <ul style="list-style-type: none"> • [Room Nos. 436, 435, 407, C0082]

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