

RESOLUTION AGREEMENT

Yeshiva University OCR Case No. 02-16-2325

In order to resolve Case No. 02-16-2325, Yeshiva University (the University) assures the U.S. Department of Education, 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 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104.

Action Items: Platform Lift at 245 Lexington Avenue

By December 31, 2020, the University will ensure that the exterior platform lift (the Lift) at the Beren campus located at 245 Lexington Avenue, New York, New York 10016 (Beren campus) provides for unassisted entry and exit under the 2010 ADA Standards for Accessible Design (the 2010 ADA Standards)¹, by specifically undertaking the following:

- (1) The University will implement a written policy under which students, faculty, and staff who require the use of the Lift will be issued keys to the Lift gates and controls; and
- (2) The University will implement a written policy under which the University will ensure that members of the public with disabilities are provided with access to the Beren campus that is equivalent to the access of members of the public without disabilities, all of whom must register with security, by directing its personnel to unlock the Lift gates and controls to the extent necessary to allow individuals with mobility disabilities to attend scheduled public events at the Beren campus without assistance.

Reporting Requirement: By January 15, 2021, the University will provide to OCR copies of the policies it developed consistent with Action Items 1 and 2 above, along with a link(s) to the University's website where these policies can be found. The University will also provide documentation (e.g., photographs, measurements, etc.) confirming that the Lift otherwise complies with the 2010 ADA Standards applicable to Lifts.

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

¹ Beginning March 15, 2012, all new construction or alterations must conform to the 2010 ADA Standards. Section 410.1 - General of the 2010 ADA Standards states that platform lifts shall not be attendant-operated and shall provide unassisted entry and exit from the lift.

The University 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 will give the University written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the University's representative below.

November 17, 2020
Date

/s/
Authorized Representative
Yeshiva University