

RESOLUTION AGREEMENT

City University of New York – College of Staten Island OCR Case No. 02-17-2075

In order to resolve Case No. 02-17-2075, the City University of New York – College of Staten Island (the College) 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, 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 35.¹

Action Item 1:

By October 31, 2019, the College will repair the exterior accessible routes between parking lots 1 and 4 and the Campus Center, the Department of Business 3N building and the Engineering Technologies West 4N building, so that ground surfaces on the exterior routes are stable, firm and slip-resistant [2010 ADA Standards Sections 302 and 403.2].

Reporting Requirement: By November 15, 2019, the College will provide documentation to OCR (e.g., copies of paid invoices, photographs, etc.) confirming completion of repairs to exterior accessible routes listed above, consistent with the requirements of the 2010 ADA Standards as set forth in Action Item 1 above.

Action Item 2:

By October 31, 2019, the College will construct curb ramps at the top of the access aisles to the sidewalks in parking lots 1 and 4, so that access aisles join an accessible route [2010 ADA Standards Sections 302 and 303.4].

Reporting Requirement: By November 15, 2019, the College will provide documentation to OCR (e.g., copies of paid invoices, photographs, etc.) confirming completion of changes to address accessibility issues by constructing curb ramps to join access aisles to an accessible route, consistent with the requirements of the 2010 ADA Standards as set forth in Action Item 2 above.

Action Item 3:

By October 31, 2019, the College will replace the handrails on the ramp located on the accessible route to the Engineering Technologies West 4N building, so that the handrail height shall be 34 inches minimum and 38 inches maximum vertically above ramp surfaces, at a consistent height above the ramp surface [2010 ADA Standards Sections 405.8 and 505.4].

¹ Beginning March 15, 2012, all new construction or alterations of existing facilities must conform to the 2010 ADA Standards for Accessible Design (the 2010 ADA Standards). Accordingly, all structural changes required by this agreement must conform to the 2010 ADA Standards.

Reporting Requirement: By November 15, 2019, the College will provide documentation to OCR (e.g., copies of paid invoices, photographs, etc.) confirming completion of changes to address accessibility issues by replacing the handrails, consistent with the requirements of the 2010 ADA Standards as set forth in Action Item 3 above.

The College understands that by signing this resolution agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. Further, the College understands that during the monitoring of the resolution 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 the resolution agreement. Upon the College’s satisfaction of the commitments made under the resolution agreement, OCR will close this case.

The College understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the resolution agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the College 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 College’s representatives below.

7/22/2019
Date

/s/
Dr. William J. Fritz, President
The City University of New York
College of Staten Island

7/23/2019
Date

/s/
Hilary B. Klein, University Chief Litigation Counsel
The City University of New York