

RESOLUTION AGREEMENT

University of the Arts Case Number 03-17-2365

The U.S. Department of Education, Office for Civil Rights (OCR) and the University of the Arts (University) enter into this Resolution Agreement (Agreement) to resolve the issues in this above-referenced complaint. This Agreement does not constitute an admission of liability, nor does it constitute a finding of non-compliance or wrongdoing on the part of the University. The University assures OCR that it will take the following actions to comply with the requirements of Section 504, 34 C.F.R. §104.4(a) and 104.21, provides that no qualified individual with a disability shall, because a recipient's facilities are inaccessible to or unusable by persons with disabilities, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity of a recipient. The University is a recipient of Federal financial assistance and is therefore subject to the requirements of Section 504.

The University will ensure that any new facilities or part of a facility will be constructed in accordance with either the U.S. Department of Justice (DOJ) 2010 ADA Standards for Accessible Design, 28 C.F.R. Part 36, Appendix A (2010 Standards).

Prior to the completion of OCR's investigation, the University agreed to resolve the issue of this investigation pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to resolve the issues of this investigation, the University agrees to take the following actions:

Route to Hamilton Hall and Furness Hall

Railings of Outside Ramp

By June 1, 2019, the University will provide appropriate railings at the outside ramp at the Pine Street entrance. (See 2010 Standards, § 505)

Hamilton Hall and Furness Hall

Elevator

By June 1, 2019, the University will evaluate the alterations made in February and June 2018 to the elevator to determine whether they comply with the 2010 Standards for accessibility. Any alterations determined not to comply with the appropriate accessibility standard (based on date of construction or alteration) must be modified to meet the 2010 Standards. (See 2010 Standards §§ 407)

For those University facilities constructed or altered prior to the effective date of Section 504 (June 3, 1977), the University will ensure that its programs, when considered in their entirety, are accessible to and usable by people with disabilities. 34 C.F.R. § 104.22. In choosing among available methods for achieving program access, the University will give priority to those methods that serve people with disabilities in the most integrated setting appropriate.

By June 1, 2019, the University will adopt a plan to ensure that each program and activity operated in Hamilton Hall and Furness Hall, when viewed in its entirety, is readily accessible to individuals with disabilities

Reporting Requirements:

By June 1, 2019, the University will provide to OCR, for review and approval, its plan for ensuring that each program and activity operated in Hamilton Hall and Furness Hall, when viewed in its entirety, are accessible to and usable by people with disabilities, including a report of any modifications made.

Within 60 days of receiving approval the University will provide documentation to OCR demonstrating that the University has adopted and begun implementation of the OCR-approved plan.

The University understands that by signing this Agreement, it agrees to provide the foregoing 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 of this Agreement and is in compliance with Section 504, 34 C.F.R. §104.4(a) and 104.21. Upon completion of the obligations under this Agreement, OCR shall close this case.

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

/s/

Dr. David Yager
Office of the President
University of the Arts