

RESOLUTION AGREEMENT

Miami-Dade College (Florida) OCR Complaint #04-20-2515

The U.S. Department of Education (Department), Office for Civil Rights (OCR) and Miami-Dade College (College) enter into this resolution agreement (Agreement) to resolve the allegations in the above-referenced complaint. This Agreement does not constitute an admission of liability, non-compliance or wrongdoing by the College. The College assures OCR that it will take the following actions to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. Sections 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance and public entities, respectively.

Prior to the completion of OCR's investigation, the College agreed to resolve OCR Complaint # 04-20-2515 pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to ensure compliance with Section 504 and Title II and their implementing regulations, the College voluntarily agrees to the following actions. All modifications necessary to provide access pursuant to this Agreement will be made consistent with the applicable standards in the 2010 ADA Standards for Accessible Design¹ or any accessibility standard that provides equivalent or greater access to individuals with disabilities.

Item 1: Accessible Parking, Parking Lot 2

Within sixty (60) days of signing this Agreement, in consultation with persons knowledgeable of the accessibility requirements of the 2010 ADA Standards, the College will install a minimum of three (3) designated accessible parking spaces at Parking Lot 2, including accessible routes, located at the College's Meek Center. The parking spaces shall comply with §§ 208 and 502 of the 2010 ADA Standards:

- **Identification:** Each designated accessible parking space, including van accessible space, shall have identification signs that include the International Symbol of Accessibility complying with 703.7.2.1. Signs identifying van parking spaces shall contain designation "van accessible." *See* 2010 ADA Standards § 502.6;
- **Vehicle Spaces:** Designated accessible car parking spaces shall be 96 inches wide minimum and van parking spaces shall be 132 inches wide minimum, shall be marked to define the width, and shall have an adjacent access aisle complying with 502.3. *See* 2010 ADA Standards § 502.3; Figure 502.2;
- **Access Aisles:** Access aisles shall be marked so as to discourage parking in them. *See* 2010 ADA Standards § 502.3;

¹ Located at: <https://www.ada.gov/regs2010/2010ADASTandards/2010ADASTandards.htm> (Last accessed 1/27/2021)

- Floor or Ground Surface: Parking spaces and access aisles serving them shall comply with § 302. Access aisles shall be at the same level as the parking spaces they serve. Changes in level are not permitted. *See* 2010 ADA Standards § 502.4.²

Reporting Requirement:

On or before **April 14, 2021**, the College will provide OCR with pictures, including detailed measurements and diagrams, for Parking Lot 2 at the Meek Center modified pursuant to the Item 1 above. The College's documentation will reflect that the College has modified the parking lot, including designated accessible routes, to comply with the applicable requirements of the 2010 ADA Standards.

Item 2: Accessible Parking, Overflow Lot

Within sixty (60) days of signing this Agreement, the College will inform OCR whether it plans to continue to use the Overflow Lot for student parking at the Meek Center. In the alternative, the College will notify OCR if it will no longer make the Overflow Lot available to students at the Meek Center. If the College continues to make the Overflow Lot available for student parking, it shall, in consultation with persons knowledgeable of the accessibility requirements of the 2010 ADA Standards, ensure that the Overflow Lot is available and accessible to individuals with disabilities. The College will ensure that the Overflow Lot provides a minimum of one (1) designated accessible parking space(s), including accessible routes to the Meek Center, in compliance with §§ 208 and 502 of the 2010 ADA Standards as follows:

- Identification: Each designated accessible parking space, including van accessible space, shall have identification signs that include the International Symbol of Accessibility complying with 703.7.2.1. Signs identifying van parking spaces shall contain designation "van accessible." *See* 2010 ADA Standards § 502.6;
- Vehicle Spaces: Designated accessible car parking spaces shall be 96 inches wide minimum and van parking spaces shall be 132 inches wide minimum, shall be marked to define the width, and shall have an adjacent access aisle complying with 502.3. *See* 2010 ADA Standards § 502.3; Figure 502.2;
- Access Aisles: Access aisles shall be marked so as to discourage parking in them. *See* 2010 ADA Standards § 502.3;
- Floor or Ground Surface: Parking spaces and access aisles serving them shall comply with § 302. Access aisles shall be at the same level as the parking spaces they serve. Changes in level are not permitted. *See* 2010 ADA Standards § 502.4.

Reporting Requirement:

² The College submitted the attached design plans, in consultation with Ambro, Inc. Consulting Engineers and Planners (dated 5/27/2020), that reflects the College's plan to install three (3) designated accessible parking spaces, including one (1) van accessible parking space in Parking Lot 2 at the College's Carrie P. Meek Outreach Center. The parking spaces shall comply with §§ 208 and 502 of the 2010 ADA Standards.

On or before **April 14, 2021**, the College will provide OCR with documentation that confirms their plans regarding the Overflow Lot. If the College continues to offer student parking in the Overflow Lot, it will provide OCR with pictures, including detailed measurements and diagrams, that confirm that the Overflow Lot at the Meek Center has been modified pursuant to the Item 2 above. The College’s documentation will reflect that the parking lot, including designated accessible routes, have been modified in compliance with the applicable requirements of the 2010 ADA Standards.

The College understands that by signing the 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 the 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 Agreement. Upon the College’s satisfaction of the commitments made under the Agreement, OCR will close the 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 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 President or his designee below.

College President or her Designee

Date