

RESOLUTION AGREEMENT

Georgia State University (Georgia) OCR Complaint #04-22-2217

The U.S. Department of Education (Department), Office for Civil Rights (OCR) and Georgia State University (University) enters 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 University. The University 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 University agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to resolve the issues of this investigation, the University voluntarily agrees to take the following corrective actions:¹

Corrective Actions:

1. **Within one hundred and twenty (120) days** of the signing of this Agreement, the University will hire or confer with an independent consultant who is knowledgeable about the architectural accessibility requirements of Title II and Section 504.
2. **Within one hundred and fifty (150) days** of the signing of this Agreement, the University's consultant will conduct an accessibility survey of the parking available on the University's Atlanta campus, including the number of accessible spaces, access aisles, the signage and curb access associated with that parking, as described in Corrective Action Item 3 below.
3. **Within two hundred and ten (210) days** of the signing of this Agreement, the University's consultant will develop a Schematic Design² for a **Parking Plan**, for OCR's review and approval, to provide sufficient designated accessible parking at the University's Atlanta Campus. The University's **Parking Plan** will ensure that it provides sufficient designated accessible parking spaces that comply with Table 208.2 of the 2010 ADA Standards and meet the requirements of 2010 ADA Standards §§ 208; 405; 502 and 503. The **Parking Plan** will include a timetable for modifying the areas

¹ 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 provide equivalent or greater access to individuals with disabilities. See <https://www.ada.gov/law-and-regs/design-standards/2010-stds/> (last accessed July 28, 2023).

² A Schematic Design provides information about the scope of work for a project.

of non-compliance identified in the accessibility survey referred in Corrective Action Item 2.

4. **Within sixty (60) days** of OCR's approval of the Schematic Design for the Parking Plan, the University's consultant will complete the Construction Documents³ for the Parking Plan.
5. **Within one hundred twenty (120) days** of OCR's approval of the Schematic Design, the University will commence implementation of the **Parking Plan**. The Parking Plan will ensure that the University completes all modifications no later than **two hundred ten (210) days** following OCR's approval of the Schematic Design.

Reporting Requirement:

1. **Within thirty (30) days of the University's implementation of the Parking Plan**, the University will submit status reports to OCR that provide updates on the implementation of the plan to provide accessible parking at the University in compliance with the 2010 ADA Standards.
2. The University will submit status reports that reflect its implementation of the Parking Plan every **sixty (60) days** thereafter until it completes all modifications.
3. **Within 240 days of OCR's approval of the Schematic Design**, the University will submit its final report that reflects all completed modifications consistent with the OCR-approved Parking Plan.
 - a. The University's progress reports will include blueprints, photographs and work orders (if available) that reflect the University's progress in implementing the OCR-approved plans to modify the accessible parking at the University.

The deadlines contained in this Agreement are subject to the University's procurement obligations. Should the consultant's review indicate that the implementation of the Parking Plan exceeds the University's 2023-2024 Facilities/Parking budget, the University may require additional time to secure funding. If necessary, the University will submit a request to OCR, along with supporting documentation, that supports the University's request for a reasonable extension to complete the Corrective Actions identified in this Agreement. The University must submit its request and supporting documentation in advance of the deadlines set forth in this Agreement.

³ Construction Documents are the final set of drawings with all construction details that contractors use to bid the project.

By signing the Agreement, the University agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. During the monitoring of the 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 the Agreement.

The University understands that OCR will not close the monitoring of the Agreement until such time as OCR determines that the recipient is in compliance with the terms of the Agreement and the statute(s) and regulation(s) at issue in the case.

The University understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (DOJ) for judicial proceedings to enforce the specific terms of the Agreement and the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the recipient 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 President or his designee below.

University President or Designee

Date

Printed Name & Title