

Resolution Agreement  
Milwaukee Area Technical College  
OCR #0518-2013

Milwaukee Area Technical College (MATC) submits this Agreement to the U.S. Department of Education, Office for Civil Rights (OCR) in resolution of OCR case number 05182013. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by MATC. MATC submits this Agreement to ensure its compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), 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 (Title II), 42 U.S.C. 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35, with respect to the issues raised in this complaint.

MATC will ensure that its programs and activities at its Oak Creek Campus are readily accessible to and usable by individuals with disabilities. To the extent MATC alters or renovates existing facilities or parts of facilities, or constructs new facilities, such alterations, renovations and new construction will conform to the 2010 ADA Standards for Accessible Design (ADA Standards).

**Notice**

- A. By April 27, 2018, MATC will adopt and implement procedures to ensure that interested persons can obtain information as to the existence and location of services, activities, and facilities that are accessible to and usable by persons with disabilities. When MATC elects to reassign programs and activities to accessible buildings from existing facilities that are inaccessible, MATC will provide notice to interested persons of its election to provide program access in that manner.

**Existing Facilities<sup>1</sup>**

- B. Effective immediately, MATC will ensure that no student is denied access to its Oak Creek programs, activities and services because of the inaccessibility of restrooms in its existing facilities (the Aviation building and the Academic and Technical/Industrial wings in the Main building). In the most expeditious manner, but no later than May November 15, 2018, MATC will operate programs, activities and services offered in existing facilities at Oak Creek Campus so that, when viewed in their entirety, they are readily accessible to persons with disabilities. MATC may comply with this requirement, called program access, through the reassignment of classes or other services to buildings with accessible restrooms, alteration of existing facilities and construction of new facilities, or any other method that results in making each of its programs and activities accessible to persons with disabilities.

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<sup>1</sup> Under Section 504, an "existing facility" is a building, or part thereof, where construction was commenced on or before June 2, 1977. Under Title II, an "existing facility is a building, or part thereof, where construction was commenced on or before January 25, 1992."

### **New Construction**

- C. By Nov 15 August 15, 2018, MATC will ensure that the restrooms in the Energy Conservation and Advanced Manufacturing (ECAM) building at the Oak Creek Campus, are readily accessible to and usable by persons with mobility impairments in conformance with the standards for new construction and alterations under the 2010 ADA Standards for Accessible Design.

### **Reporting Requirements:**

- 1) By May 28, 2018, MATC will provide OCR with a report that includes the notices disseminated; a description of the methods used to disseminate the notices; and a list of the publications in which the notices appear or will appear at the next print publication.
- 2) By May 28, 2018, MATC will submit for OCR review and approval its plan and procedures for providing access to its programs at the Oak Creek Campus to persons with disabilities. MATC's plan will include a detailed description of any planned physical modifications to its existing facilities and new construction, including the schedule for completing such modifications.
- 3) By November 29, 2018, MATC will provide OCR with a report demonstrating that it has completed the facilities modifications pursuant to sections B. and C. of this Agreement along with specifications, prints, drawings, and photographs with sufficient detail to demonstrate that the modifications were made consistent with ADA standards.

MATC 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, MATC understands that during the monitoring of this Agreement, if necessary, OCR may visit MATC, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether MATC has fulfilled the terms of this Agreement and is in compliance with Section 504 and its implementing regulation at 34 C.F.R. §104.21, and Title II implementing regulation at 28 C.F.R. §35.149. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this case.

MATC 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 MATC 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 MATC's representative below.

\_\_\_\_\_  
Name

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title