

Resolution Agreement
Louisiana College
OCR Complaint #06-15-2078

The U.S. Department of Education, Office for Civil Rights, (OCR) and Louisiana College (the College) enter into this resolution agreement (Agreement) to voluntarily resolve 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. Section 794, and its implementing regulation at 34 C.F.R. Part 104, which prohibit discrimination based on disability by recipients of Federal financial assistance.

The College will ensure that any new facilities or part of a facility will be constructed in accordance with the U.S. Department of Justice (DOJ) adopted accessibility guidelines. The DOJ's 2010 ADA Standards for Accessible Design, 28 C.F.R. Part 36, Appendix A (2010 Standards) became effective on March 15, 2012. Compliance with the 2010 Standards is required for new construction and alterations that were initiated on or after March 15, 2012. Prior to the 2010 Standards, the effective standards for new construction were the American National Standards Institute, effective June 3, 1977, the Uniform Federal Accessibility Standards (UFAS), effective January 18, 1991, and the 1991 Americans with Disabilities Act Accessibility Guidelines (1991 or ADAAG), effective January 26, 1992.

Unless otherwise noted, all structural changes or modifications to existing facilities pursuant to the Agreement will be in accordance with the technical and scoping requirements of the 2010 Standards referenced above.¹ New and altered facilities (or the identified new or altered part) will be readily accessible to and usable by individuals with disabilities.

Prior to the completion of OCR's investigation, the College agreed to voluntarily resolve this complaint pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, the College agrees to take the following actions:

Action Item #1– Wildcat Field Self-Evaluation

The College will conduct a self-evaluation of the accessible route(s) and parking lots that serve the Wildcat Field and designated parking lot(s), to determine whether each complies with the governing accessibility standard (i.e., ANSI², UFAS³, 1991 Standards⁴ or the 2010 Standards for accessibility) and to determine whether modifications are required to comply with the accessibility standards. The College will make such modifications as are required to comply with accessibility standards.

¹ The 2010 Standards can be accessed at this DOJ website: www.ada.gov/2010ADASTandards_index.htm.

² American National Standards Institute (ANSI) Standards (A117.1-1961, reaffirmed 1971).

³ Uniform Federal Accessibility Standards (UFAS), <https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-aba-standards/ufas>.

⁴ 1991 ADA Standards for Accessible Design (1991 Standards), https://www.ada.gov/1991ADASTandards_index.htm.

- (a) **By January 1, 2022**, the College will submit to OCR a detailed report documenting its self-evaluation of the accessible route(s) and parking lots that serve the Wildcat Field and its Action Plan for correcting any compliance problems found during the self-evaluation. The report shall include, *but not be limited to*, the following:
- i. The governing standard for the Wildcat Field and designated parking lot(s) at the time the self-evaluation is initiated, including the specific date and year when the Wildcat Field and parking lot(s) were last modified.
 - ii. With respect to accessible route(s):
 - a. The location of the accessible route(s) from accessible parking spaces and public sidewalks, that serve the Wildcat Field's accessible entrance(s).
 - b. The location of accessible route(s) that connects the Wildcat Field to accessible buildings, accessible facilities, accessible elements, and accessible spaces, including accessible portable restrooms on the site.
 - iii. With respect to the parking lot(s):
 - a. The number of accessible spots presently.
 - b. The number of van-accessible spots presently.
 - c. If the parking lot does not meet the governing accessibility standard, the number of accessible spots, including van accessible spots, necessary for compliance with the 2010 Standards.
 - d. A description of the necessary modifications for ramps, accessible lanes, and other renovations besides accessible spots to ensure compliance.
 - iv. If the identified parking lot(s) and accessible route(s) do not meet the governing accessibility standard, a description of necessary modifications and other renovations to ensure compliance with the 2010 Standards.
 - v. An estimated date to begin the project.
 - vi. An estimated date to complete the project, subject to Reporting Requirement 1(c).
- (b) **By April 1, 2022**, the College will submit a written report to OCR summarizing the actions the College has taken thus far regarding its Action Plan to comply with this Agreement. The report shall include, for example, detailed photographs or videos showing the relevant measurements of any alterations or renovations, architectural plans, work orders, purchase orders, invoices, and proof of efforts to secure funding/assistance for structural renovations or equipment.
- (c) **By July 1, 2022**, the College will submit a report to OCR reflecting that the College has completed all modifications under its Action Plan. This report shall include, for example, detailed photographs or videos showing the relevant measurements of any alterations or renovations, architectural plans, work orders, purchase orders, invoices,

proof of efforts to secure funding/assistance for structural renovations or equipment, and other such documentation demonstrating full implementation of the Action Plan in compliance with Section 504.

The College understands that by signing this 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 necessary for OCR to determine whether the College has fulfilled the terms 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 administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceeding to enforce this agreement, OCR shall 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 representative below.

Dr. Rick Brewer, President
Louisiana College

Date