

**Resolution Agreement
Harris-Stowe University
Docket # 07172315**

The U.S. Department of Education, Office for Civil Rights (OCR), and Harris-Stowe University (the University) enter into this agreement to resolve the allegation 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 United States Code (U.S.C.) § 794, and its implementing regulation, 34 Code of Federal Regulations (C.F.R.) Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131, and its implementing regulation, 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance and public entities, respectively.

Before OCR completed its 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 District agrees to take the following actions:

1. The University will make necessary improvements on the designated accessible routes and pathways which lead from the two accessible parking locations to the AT&T Library¹ and ensure the accessible routes meet the requirements of Section 4.3 of the 1991 Americans with Disabilities Act (ADA) Standards for Accessible Design. The University's improvements will include, but are not limited to:
 - a. Ensuring all walking surfaces that are part of an accessible route will have a stable, firm, and slip resistant surface; a running slope not steeper than 1:20; a cross slope not steeper than 1:50; and a clear width of 36 inches minimum.
 - b. Changes in level between 1/4 in and 1/2 in (6 mm and 13 mm) shall be beveled with a slope no greater than 1:2. Any change in level greater than 1/2 in shall be accomplished by means of a ramp that complies with Sections 4.7 or 4.8 of the 1991 ADA Standards.
2. The University will provide, for OCR's review and approval, an assessment of the current accessible routes from the two accessible parking lots leading to the AT&T Library indicated in Item 1, along with photographs (including those showing dimensions) and other information. Any elements found not to be accessible or which have been previously identified as potentially out of compliance², the report will specifically identify these elements, the corrective action necessary, and a plan of implementation for the corrective actions. The Plan will include projected completion

¹ This includes the University's most central "Emerson" Parking Lot (Lot 1) located due west from the Library across the campus quad; as well as the "Garrison Street" Parking Lot (Lot 2) located behind the University's main administrative building to the southwest of the Library.

² See the attached Compliance Chart.

dates for implementation. The Plan should include sufficient detail, including diagrams and measurements, as applicable.

REPORTING REQUIREMENT: By July 31, 2018, the University will provide its assessment report and a copy of the Plan to address any deficiencies for OCR's review and approval, along with photographs (including those showing dimensions) and other information in support of the University's assessment and plan.

REPORTING REQUIREMENT: By December 31, 2018, the University will provide documentation demonstrating the implementation of the Plan, including the completion of any renovations or modifications, a description of the work performed, along with photographs (with dimensions, as applicable), work orders, and other relevant information documenting that any deficiencies have been addressed and now meet the 1991 ADA Standards. Upon completion of the Plan, OCR will conduct an onsite inspection of the School.

3. The University will provide for OCR's review and approval, an assessment which determines if and how the University's current available AT&T Library parking best meets the accessibility parking requirements under the applicable standards.³ This assessment will at a minimum take into consideration the following:
 - a. Whether the current accessible parking for the AT&T Library is located at the closest possible distance with the shortest possible accessible route and complies with the applicable standard based on dates of most recent construction or alteration.⁴
 - b. Assessing the potential for closer accessible parking spaces to be developed behind the AT&T Library using the current loading dock area or curb parking along the private drive located directly behind the library.
 - c. Assessing the potential to collaborate with the City of St. Louis to add accessible parking spaces on the public Garrison Street located adjacent the AT& T library.

The assessment will include photographs, measurements, correspondence and other documentation establishing the above. If the assessment determines that the University can provide more appropriate and effective accessible parking for the AT&T Library, the University will submit a plan for OCR's review and approval which addresses how the more appropriate accessible parking will be provided. To the extent that structural modifications are necessary in order to provide program accessibility, such modifications will be made in accordance with the 2010 ADA Standards. The Plan will include projected completion dates for implementation and will also include an interim plan to

³ The Assessment of the current parking lots will be based on the appropriate applicable standard as determined by the date of most recent construction or alteration.

⁴ Section 4.6 of the 1991 Americans with Disabilities Act (ADA) Standards for Accessible Design set out the requirements for accessible route from parking lots to buildings constructed or last altered between January 26, 1992 and September 14, 2010. Sections 208 and 502 of the Americans with Disabilities Act (ADA) 2010 Standards set out the requirements for accessible parking spaces constructed or altered after March 15, 2012. For parking lots constructed or last altered between September 15, 2010 and March 14, 2015, either the 1991 or 2010 Standards may apply to parking. See attached Compliance Chart.

provide accessibility at the Library pending completion of any construction and renovation being done under the Plan. The Plan should include sufficient detail, including diagrams and measurements, as applicable.

REPORTING REQUIREMENT: By August 31, 2018, the University will provide its assessment of the accessibility of the AT&T Library accessible parking for OCR's review and approval.

REPORTING REQUIREMENT: By December 31, 2018, as applicable, the University will provide and a copy of the Plan to address any deficiencies for OCR's review and approval.

REPORTING REQUIREMENT: Beginning on January 31, 2019, and at six month intervals until the Plan has been fully implemented and any work to be done under the Plan has been completed, the University will provide OCR with progress reports including the completion of any renovations or modifications, include a description of the work performed, along with photographs (with dimensions, as applicable) and work orders. Upon completion of the Plan, OCR will conduct an onsite inspection of the School. The University agrees to complete implementation of this plan no later than December 31, 2019.

The University 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 this Agreement and that all actions taken to comply with the requirements of the Agreement are subject to OCR's review and approval. 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 the regulation implementing Section 504 at 34 C.F.R. § 104.21, § 104.22, and § 104.23 and the regulation implementing Title II at 28 C.F.R. § 35.149, § 35.150, and § 35.151, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close and dismiss 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/ Rodney Gee
Rodney Gee, Director, Human Resources

6/22/18
Date

Compliance Chart
Harris-Stowe State University, St. Louis, Missouri
OCR Docket #07172315

Route or Parking Lot #	Applicable Accessibility Standard for Element, Space, or Area	Existing Measurements or Summary of Non-compliance	Photographs or Diagrams if Available (enlarge electronically)	Remedial Action 1991 Standards (unless noted otherwise)
<p>Route from Lot 1 to Library</p> <p>Route from Lot 1 and Lot 2 to Library</p>	<p>4.5.1* General. Ground and floor surfaces along accessible routes and in accessible rooms and spaces including floors, walks, ramps, stairs, and curb ramps, shall be stable, firm, slip-resistant, and shall comply with 4.5.</p> <p>4.5.2 Changes in Level. Changes in level up to 1/4 in (6 mm) may be vertical and without edge treatment (see Fig. 7(c)). Changes in level between 1/4 in and 1/2 in (6 mm and 13 mm) shall be beveled with a slope <i>no greater than 1:2</i> (see Fig. 7(d)). Changes in level greater than 1/2 in (13 mm) shall be accomplished by means of a ramp that complies with 4.7 or 4.8.</p>	<p>There are multiple areas throughout the accessible route leading from Lot 1 to the Library which were covered by debris or were otherwise not stable, firm, or slip-resistant.</p> <p>There were also several areas throughout the routes where “changes in level” of approximate ½ occurred. A general width of 36” inches is necessary at any point throughout the path, free from obstruction.</p>		<p><i>The University will assess the accessible routes/pathways from Lot 1 and Lot 2 and make the necessary improvements. This includes leveling, beveling, or filling these areas throughout the path to ensure compliance with Section 4.5.2 of the 1991 Standards.</i></p>

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<p>Route Transition between “H” and “S” when travelling from Lot 2.</p>	<p>4.3.7 Slope. An accessible route with a running slope greater than 1:20* is a ramp and shall comply with 4.8. Nowhere shall the cross slope of an accessible route exceed 1:50.</p> <p>*1:20 = 5% = 2.8°</p> <p>4.5.2 Changes in Level. See above.</p> <p>4.8.2* Slope and Rise. The least possible slope shall be used for any ramp. The maximum slope of a ramp in new construction shall be 1:12. The maximum rise for any run shall be 30 in (760 mm) (see Fig. 16). Curb ramps and ramps to be constructed on existing sites or in existing buildings or facilities may have slopes and rises as allowed in 4.1.6(3)(a) if space limitations prohibit the use of a 1:12 slope or less.</p>	<p>At the first northward transition after heading west from Garrison Street a beveled slope is present. This slope at its <i>least</i> severe measured:</p> <p>1:11 = 9.3% = 5.3°</p> <p>These measurements exceed the running slope/maximum slope of a ramp requirements for an accessible route.</p>		<p>Accessible routes shall consist of one or more of the following components: walking surfaces with a running slope not steeper than 1:20, doorways, ramps, curb ramps excluding the flared sides, elevators, and platform lifts. All components of an accessible route shall comply with the applicable requirements of Chapter 4.</p> <p><i>Remedial Action: The University must correct the slope at this transition so it does not exceed 1:20, or else ensure the walkway meets the requirements for ramps under 4.8 (slope no greater than 1:12 or 8.33%).</i></p>

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<p>Parking Lots</p>	<p>4.6.3* Parking Spaces. Accessible parking spaces shall be at least 96 in (2440 mm) wide. Parking access aisles shall be part of an accessible route to the building or facility entrance and shall comply with 4.3. Two accessible parking spaces may share a common access aisle (see Fig. 9). Parked vehicle overhangs shall not reduce the clear width of an accessible route. Parking spaces and access aisles shall be level with surface slopes not exceeding 1:50 (2%) in all directions.</p> <p>4.6.4* Signage. Accessible parking spaces shall be designated as reserved by a sign showing the symbol of accessibility (see 4.30.7). Spaces complying with 4.1.2(5)(b) shall have an additional sign "Van-Accessible" mounted below the symbol of accessibility. Such signs shall be located so they cannot be obscured by a vehicle parked in the space.</p>	<p>Lot 1</p> <p>The accessible parking spaces in Lot 1 have a fairly excessive slope of approximately 4.1% or 1:24 ratio</p> <p>Lot 1 and Lot 2</p> <p>The posted accessible parking signs in Lot 1 measure approximately 56inches from ground to bottom of sign.</p> <p>The posted accessible parking signs in Lot 2 measured approximately 42inches from ground to bottom of sign.</p>	 	<p>* 502.4 Floor or Ground Surfaces. 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.</p> <p>EXCEPTION: Slopes not steeper than 1:48 shall be permitted.</p> <p>4.30.6 Mounting Location and Height. Where permanent identification is provided for rooms and spaces, signs shall be installed on the wall adjacent to the latch side of the door. Where there is no wall space to the latch side of the door, including at double leaf doors, signs shall be placed on the nearest adjacent wall. Mounting height shall be 60 in (1525 mm) above the finish floor to the centerline of the sign. Mounting location for such signage shall be so that a person may approach within 3 in (76 mm) of signage without encountering protruding objects or standing within the swing of a door.</p> <p><i>The University will assess potential for closer accessible parking for the AT&T Library. If the University is unable to provide closer, updated accessible parking,</i></p>

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				<p><i>the University will ensure the parking lots meet the applicable standards, including addressing the slope in Lot 1.</i></p> <p><i>The University will raise the posted accessible parking signage to the required minimum of 60inches.</i></p>