

RESOLUTION AGREEMENT

Arizona State University 08-16-2054

In order to resolve the above-referenced complaint filed against Arizona State University (University) and opened for investigation by the U.S. Department of Education, Office for Civil Rights pursuant to Section 504 of the Rehabilitation Act of 1973, 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, 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35. The University agrees to implement the following terms of this Resolution Agreement.

The University will comply with the cited provisions of the 2010 ADA Standards for Accessible Design (2010 ADA Standards), 28 C.F.R. pt. 36, App. A., when taking the actions required by this Agreement.

1. *Designated accessible wheelchair seating locations*: many of the designated accessible wheelchair seating locations in the Wells Fargo Arena are too narrow. The University will ensure that each seating area has a minimum clear ground or floor space 33 inches wide by 48 inches deep for forward or rear access, or 33 inches wide by 60 inches deep for side access. The University will also ensure that wheelchair seating locations adjoin but do not overlap an accessible route. 2010 ADA Standards §§ 802.1.2, 802.1.3, 802.1.4

REPORTING REQUIREMENT: By September 1, 2016, the University will provide a written report to OCR confirming that the University has completed the requirements of Term 1.

The University understands that OCR will not close the monitoring of this Agreement until OCR determines that the University has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II, which were at issue in this case.

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. Further, the University understands that during the monitoring of the Agreement, if necessary, OCR may interview University employees 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 regulations implementing Section 504 and Title II, which were at issue in this case.

The University understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR shall give the University written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

For Arizona State University:

_____/S/	_____
Name	May 24, 2016
Title	Date