

**Resolution Agreement**  
Napa Valley Community College District  
OCR Case Number 09-16-2391

The Napa Valley Community College District (District), without admitting to any violation of law, agrees to implement this Resolution Agreement (Agreement), in order to resolve the issues raised in the above-referenced complaint filed with the U.S. Department of Education Office for Civil Rights (OCR) under Title II of the Americans with Disabilities Act (Title II) and Section 504 of the Rehabilitation Act (Section 504) and their implementing regulations.

**I. Provisions**

Within 60 days of the date that the Agreement is signed, the District will perform the following:

1. Provide OCR with a report demonstrating that it has tested the interior entry doors and adjusted the opening force to meet the 1991 Standards 4.13.11 opening force (5 lpf) for interior hinged doors in the following locations:
  - a. Toilet rooms on all floors in Catacula Hall 800.
  - b. Toilet rooms on all floors of the McCarthy Library 1700.
2. Submit a plan for OCR review and approval to ensure that Mallacomes Hall 1400 is program-accessible for students with mobility impairments.
3. Submit a report confirming that the switch to operate the automated door in the Student Activities Center 900 leading to the cafeteria is an automated door operable, and move the second switch that operates the restroom door to an alternative location.
4. Create an accessible path of travel between the outside patio and the café in the McCarthy Library 1700 and provide a report and photos after completion of the path and accessible features.
5. Remove the obstructions from the entry door areas of the toilet rooms in the McPherson Administration building 1500 and the McCarthy Library 1700 and provide a report and photos to OCR demonstrating completion of this task.

**II. Review and Revision**

OCR will review the materials submitted by the District above and notify the District if the District has not met the criteria outlined in Section I. In this case, OCR will provide feedback and guidance to the District to assist the District in satisfactorily completing the tasks.

**III. Monitoring**

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the District understands that during the monitoring of this Agreement, OCR may visit the Napa Valley College campus, interview staff and students and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this Agreement and is in compliance with the provisions of Section 504 and Title II, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this case.

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

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/s/  
Dr. Ronald Kraft, President or Designee

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09/13/2019  
Date