

**Resolution Agreement**  
Woodland Community College  
Case Number 09-17-2561

The Woodland Community College (College) without admitting to any violation of law, agrees to implement this Resolution Agreement (Agreement) to resolve the compliance concerns identified by the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Act of 1990, as amended (Title II) and their implementing regulations in the above-referenced OCR case number.

**I. PLAN TO MAINTAIN OPERABILITY OF ACCESSIBILITY FEATURES ON CAMPUS BATHROOM DOORS AND ELEVATOR(S) AND TRAINING**

- A. The College will establish a written plan (Plan) for insuring that all accessible bathroom doors and elevator(s), as features of the College facilities and equipment, are maintained in operable working condition readily accessible to and usable by persons with disabilities. The Plan will include the following information: 1) identification, by job title, of the College personnel responsible for the regular maintenance of the power doors on all accessible bathrooms and elevator(s), if any, to ensure access to the bathrooms and the elevator(s) on the College campus; 2) the responsibilities corresponding to each individual identified above (I.A.1.); 3) identification of the appropriate College administrator who is to be notified of any issues related to the maintenance and/or repairs of the accessible features on bathroom doors and elevator(s), the circumstances requiring their notification, and any subsequent steps to be taken by the administrator to ensure that the issues are resolved in a reasonable and timely manner; 4) identification of the College administrator responsible for communicating with the campus community and the public at large about the status of any inoperable accessible bathrooms and elevator(s), the parties to be provided with those communications, a description of the method(s) of communication to be used, information to be contained therein, timeframes for communicating that information to the campus community and public at large, and circumstances requiring subsequent communication regarding status changes.
- B. The College will issue a written guidance memorandum describing the Plan to and facilitate training for all administrators, faculty, and/or staff at the College who have responsibility for ensuring that the Plan is implemented.
- C. Reporting Requirements:**
1. By December 13, 2019, the College will submit a draft of the Plan described in Section I.A. for OCR review and approval.

2. Within 60 days of OCR's review and approval of the Plan, the College will submit a draft of the guidance memorandum described in Section I.B. for OCR review and approval.
3. The College will finalize and issue the guidance memorandum and provide the training required in I.B. within 60 days of OCR's approval of the memorandum.
4. Within 15 days of providing the training required in I.B., the College will provide OCR with the following documentation: the date of the training, the names and titles of the trainer(s), a copy of any materials used or distributed during the training, sign-in sheets evidencing the College employees who attended the training, a list of the required College employees who did not attend, and a plan for providing follow-up for those employees who did not attend, as needed.

## **II. BUILDING #800 RAMP ACCESS TO PATH OF TRAVEL**

- A. The College will retain or designate a consultant with expertise on the issues of physical accessibility and program access in Title II and Section 504 and their implementing regulations. The Consultant shall work with the College specifically on the issues related to the ramp identified here. The Consultant may be an independent contractor for the College and/or an employee of the College. The Consultant will be approved by OCR. The College, after retaining or designating its Consultant(s), shall promptly provide the Consultant with all appropriate information the Consultant believes is necessary to engage in this process.
- B. The College's Consultant will conduct an assessment of the ramp behind building 800, gathering the following data: 1) the clear width between the poles; 2) the clear width at the turn to approach the ramp; and 3) the protrusion of any base steel component that remains even where the pole is removed.
- C. The College's Consultant will assess whether the poles, as an element in the accessible route, comply with the applicable requirements of Chapter 4 of the 2010 Standards. If the accessible path, which includes the approach to the ramp, does not conform with the above referenced standards, the College will report to OCR what steps it will take to eliminate any barrier and create an accessible route which complies with the applicable regulations and standards.
- D. The College's Consultant will assess whether the door to building #800 located nearest to the ramp is accessible and whether additional signage is required to direct users to accessible entrances or to a location at which they can obtain information about accessible facility entrances along the accessible route, including the ramp, and leading from the parking spaces at the back of building #800 to an accessible entrance of the building.

**E. Reporting Requirements:**

1. Within 30 calendar days of the date of this Agreement, the College will submit for OCR's review and approval the name and qualifications of the Consultant(s). Within 30 calendar days of written approval, the College will provide OCR documentation that it has retained the Consultant(s) to provide the services described in Section II of this Agreement, if a retained Consultant is used.
2. Within 60 calendar days of written approval of the Consultant or of retention of the Consultant, if a retained Consultant is used, the College will submit to OCR for review and approval, a summary of its assessment to include the data gathered, described above in Sections II.B, C., and D. ., the analysis of that data based on the applicable regulations and standards, and the steps to eliminate the barrier(s), if any, and/or provide the requisite access.
3. Within 120 calendar days of receipt of written OCR approval of the College's assessment described in II.B, II.C., and II. D., the College will implement the steps to eliminate the barrier(s), if any, and/or provide the requisite access.

**III. DISABILITY COMPLAINT PROCESS & TRAINING**

- A. The College will facilitate training for all administrators, staff, faculty, and other College personnel who have responsibility for ensuring that complaints of disability-based discrimination, including reports of physical accessibility issues, are responded to in accordance with the College's policies and procedures, including but not limited to the Plan described in I.A., and the requirements of Title II and Section 504.

**B. Reporting Requirements:**

1. The College will provide the training required in III.A. within 120 calendar days of providing the training required in I.B. Within 15 days of providing the training required in III.A., the College will provide OCR with the following documentation: the date of the training, the names and titles of the trainer(s), a copy of any materials used or distributed during the training, sign-in sheets evidencing the College employees who attended the training, a list of the required College employees who did not attend, and a plan for providing follow-up for those employees who did not attend, as needed.

**IV. MONITORING**

The College understands that by signing the resolution agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. Further, the College understands that during the monitoring of the resolution agreement, if necessary, OCR may visit the College, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the College has fulfilled the terms and obligations of the resolution 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 proceedings to enforce the specific terms and obligations of the resolution agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the College written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

\_\_\_\_\_/s/\_\_\_\_\_  
**Dr. Art Pimentel**  
**President, Woodland Community College**

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**10/31/2019**  
**Date**