

Resolution Agreement
San Francisco State University
OCR Reference No. 09-19-2108

In order to resolve the compliance concerns identified by the U.S. Department of Education, Office for Civil Rights (OCR), in the investigation of the above-referenced complaint filed against the San Francisco State University (SF State), pursuant to Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131 *et seq.*, and Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. §794, and its implementing regulation, and their implementing regulations, the SF State agrees to take the actions in this Resolution Agreement (Agreement). This Agreement has been entered into voluntarily and does not constitute an admission that SF State violated Section 504 and Title II and those statutes' implementing regulations. SF State voluntarily agrees to take the actions set forth below.

1. Accessibility Plan for Shuttle Busses. SF State will develop a protocol to work directly with transportation subcontractors to ensure their practices are in compliance with Section 504 and Title II accessibility requirements; and disseminate, as a refresher the relevant California State University Chancellor's Office executive orders (CSU Executive Orders 1096 and 1097) that detail the appropriate protocol for responding to complaints of Section 504 and Title II, ADA complaints that are relevant to access to SF State's shuttle system.

2. Accessibility Training and Written Guidance Memorandum. SF State will disseminate a written guidance memorandum to all DPRC staff and transportation subcontractors, including shuttle bus administrators and drivers, on SF State's obligations to provide program and physical access to persons with disabilities (including students, staff, and visitors to the campus). The written memorandum will, at minimum, include the following components:
 - a. An overview of SF State's obligations under Section 504 and Title II with respect to the provision of program and physical access to individuals with disabilities.
 - b. An explanation of SF State's discrimination complaint policies and procedures developed in accordance with Section 504 and Title II – CSU Executive Orders 1096 and 1097.
 - c. Specific language for shuttle bus drivers reminding them to practice universal access procedures for their shuttle bus, including lowering the bus each time they pull up to a stop, regardless of whether there is an individual who appears to have

a disability; and pulling up appropriately to the stop curb to ensure access upon entry and exit.

By June 15, 2019, SF State will provide OCR with a draft of the written guidance memorandum for OCR's review and approval. Within 20 days of OCR's approval of the written guidance, SF State will issue the written guidance memorandum to transportation subcontractors and DPRC staff.

3. Notice of non-discrimination policies and procedures. By July 1, 2019 SF State will provide draft language to post to its Parking and Transportation office website describing the protocol in Section 1 above and will also include the contact information for and a link to the appropriate coordinator for the Discrimination, Harassment, Retaliation office and the Equity Programs and Compliance office. The link should notify students, faculty and visitors to the campus of the name and contact information for the Section 504, Title II Coordinator and a link to the discrimination complaint form.

SF State 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, SF State understands that during the monitoring of the resolution agreement, if necessary, OCR may visit SF State, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether SF State has fulfilled the terms and obligations of the resolution agreement. Upon SF State's satisfaction of the commitments made under the Agreement, OCR will close the case.

SF State 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 SF State written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

San Francisco State University

By: _____/s/_____

Date: 05/20/2019

Leslie Wong, President SF State