

RESOLUTION AGREEMENT

Hampton University
OCR Case No. 11-16-2247

In order to resolve the allegation raised in U.S. Department of Education, Office for Civil Rights (OCR) Case No. 11-16-2247, Hampton University (the University) assures OCR, that pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, it agrees to fully implement this Resolution Agreement (the Agreement).

Action Item A: Dubois Hall

1. The University will provide an accessible entrance to Dubois Hall in compliance with the 2010 ADA Standards for Accessible Design (2010 Standards). The University must ensure that the accessible entrance has:
 - a. A minimum clear width of 32 inches, as measured between the face of the door and the stop with the door opened 90 degrees (Section 404.2.3 of the 2010 Standards);
 - b. A maneuvering clearance of 60 inches from the front, and 18 inches parallel, to the doorway beyond the latch side (Section 404.2.4.1);
 - c. A surface that is firm, stable, and slip resistant (Section 302; Section 404.2.4);
 - d. No level changes in excess of ~~114~~ 1/4 inch vertically or 1/2 inch beveled (Section 303; Section 404.2.5);
 - e. A closing speed of at least five seconds to move the door from 90 degrees to 12 degrees from the latch using a door closer mechanism, or at least 1.5 seconds from 70 degrees to closed using spring hinges (Section 403.3);
 - f. Hardware that is operable with one hand and does not require tight grasping, pinching, or twisting of the wrist (Section 309.4); and
 - g. A smooth surface measured vertically 10 inches from the floor (Section 404.10); and
 - h. Signage denoting the International Symbol of Accessibility, as well as directional signs that indicate the location of the accessible entrance for all other entrances that do not comply with the 2010 Standards (Section 216.6).
2. The University may install automatic or power-assisted doors that comply with Section 404.3 of the 2010 Standards. As described in the 2010 Standards, full-powered automatic doors must comply with ANSI/BHMA A156.10, and power-assisted doors must comply with ANSI/BHMA A156.19.
3. The University also must ensure that the accessible entrance to Dubois Hall is available in the same manner as the main entrance door of the building, i.e. unlocked at similar hours and unobstructed by alarms or signs preventing its use as an emergency entrance.

Reporting Requirements:

1. By September 30, 2017, the University will submit to OCR, for review and approval, its proposal, including a prospective timeframe, to complete the work set forth in Action Item A above. The University will receive OCR's approval prior to implementing the proposal.
2. By March 1, 2018, the University will provide OCR with documentation verifying it has fulfilled the commitments in Action Item A above, including photographs with door measurements, work orders or invoices, and other documentation. OCR may schedule an on-site visit to inspect the renovations, with reasonable prior notice to the University.

Action Item B: Twitchell Hall

The University will provide accessible interior and exterior ramps to serve Twitchell Hall in compliance with the 2010 Standards. In providing accessible ramps, the University, in accordance with Section 405 of the 2010 Standards, will ensure that the ramps have:

- a. A running slope of less than 1:12 (8.33%) and a cross slope of less than 1:48 (2.08%) (Sections 405.2 and 405.3);
- b. A floor or ground surface that is firm, stable, and slip resistant (Section 302; Section 405.4);
- c. A minimum clear width of 36 inches, including handrails (Section 405.5);
- d. Handrails on both sides, if the rise exceeds six inches and the horizontal projection exceeds 72 inches (Section 405.8 and Section 505); and
- e. Edge protection on each side of ramp runs if handrails are required (Section 405.9).

Reporting Requirements:

1. By September 30, 2017, the University will submit to OCR, for review and approval, its proposal, including a prospective timeframe, to complete the work set forth in Action Item B above. The University will receive OCR's approval prior to implementing the proposal.
2. By March 1, 2018, the University will provide OCR with documentation verifying that it has fulfilled the commitments in Action Item B above, including photographs with slope measurements, work orders or invoices, and other documentation. OCR may schedule an on-site visit to inspect the renovations, with reasonable prior notice to the University.

Action Item C: Complainant Remedies

1. The University will reimburse the Complainant for housing fees during her residence at Dubois Hall in the amount of XXXX.
2. The University will reimburse the Complainant for meal plan expenses incurred from XXXX through XXXX, in the amount of XXXX.

Reporting Requirements:

By September 30, 2017, the University will submit to OCR, documentation of the reimbursement paid to the Complainant, for housing fees and meal plan expenses, as described above.

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 regulation implementing Section 504 at 34 C.F.R. Part 104.

The University understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the University understands that during the monitoring of this Agreement, 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. Part 104, which was 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 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 a minimum of sixty (60) calendar days to cure the alleged breach.

By: _____/s/_____

Dorthea J. Spells

Vice President for Business Affairs and Treasurer

Date: ____8/16/2017____