

RESOLUTION AGREEMENT
University of Virginia
OCR Complaint No. 11-19-2006

The University of Virginia (the University) agrees to fully implement this Resolution Agreement (Agreement) to voluntarily resolve the allegations investigated in Office for Civil Rights (OCR) Complaint No. 11-19-2006. This Agreement does not constitute an admission by the University of a violation of Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (Title II), or any other law enforced by OCR.

1. The University has undertaken actions to modify the accessible parking spaces at the McCue Center parking lot to ensure their compliance with the 2010 Americans with Disabilities (ADA) Standards for Accessible Design (2010 Standards). Specifically, the University's modifications are designed to ensure that an access aisle of the appropriate length, width, and slope is adjacent to each designated accessible parking space at the McCue Center parking lot, and that each designated accessible parking space is otherwise compliant with the 2010 Standards with regard to size and signage.

Reporting Requirement:

By May 31, 2019, the University will provide OCR with evidence that all modifications to the McCue Center parking lot have been completed. OCR reserves the right to conduct an on-site visit or otherwise confirm that any modifications are consistent with the 2010 Standards.

2. The University has undertaken actions to ensure that the accessible parking spaces at the Emmet-Ivy Garage comply with the 2010 Standards, including but not limited with respect to number, size, slope, signage, adjacent access aisle, and adjoining accessible route.

Reporting Requirement:

By May 31, 2019, the University will provide OCR with evidence that all modifications to the Emmet-Ivy Garage have been completed. OCR reserves the right to conduct an on-site visit or otherwise confirm that any modifications were completed consistent with the 2010 Standards.

3. By May 31, 2019, the University will provide sufficient verification to support its determination that the surface bounded by a right side handrail outside the gated entrance to the elevator side of the Stadium (the area in question) is a walkway, not a ramp, and as such satisfies the requirements of the 2010 Standards without the need for further alteration. To the extent that the area in question is subsequently determined to be a ramp, not a walkway, the University will take actions needed to ensure that it satisfies the requirements of the 2010 Standards, including if necessary installation of a left side handrail.

Reporting Requirements:

- a. By May 31, 2019, the University will provide OCR with a detailed accounting of the methodology of assessment used and video or photographic documentation

supporting its determination that the area in question constitutes a walkway within the requirements of the 2010 Standards.

- b. In the event that OCR determines that further documentation is required, the University will accommodate an on-site visit by OCR to assess whether the area in question constitutes a walkway or ramp as defined by the 2010 Standards and to determine what if any next steps, including structural changes, may be needed to ensure that the area meets the requirements of the 2010 Standards.
4. To the extent that the University continues to offer a courtesy cart service to patrons attending baseball games at the Stadium, the University will ensure that the service is accessible to individuals with disabilities who utilize wheelchairs, or that it will provide an equally effective alternative means of access, in compliance with Section 504 and Title II.

Reporting Requirements:

- a. By September 13, 2019, the University will provide OCR with its proposal outlining plans to ensure that its courtesy cart service for baseball games is accessible to individual with disabilities who utilize wheelchairs, or one that ensures that it will provide an equally effective alternative means of access, in compliance with Section 504 and Title II. The proposal should include a description of the University's plans (e.g., to purchase or rent one or more accessible courtesy carts), the process necessary to pursue such plans, and the estimated timeline for completion.
 - b. Before the start of the baseball season in 2020, the University will provide evidence that its proposal has been successfully implemented. OCR reserves the right to conduct an on-site visit to confirm implementation of the proposal.

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 the Agreement. Further, the University understands that during the monitoring of this Agreement, if necessary, 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 and obligations of this Agreement. Upon the University's satisfaction of the commitments made under this Agreement, OCR will close this complaint.

The University understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the University written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

By: _____/S/_____
James E. Ryan
President (or designee)
University of Virginia

Date: __4/12/2019_____