

**Ohio University
Resolution Agreement
OCR Docket #15-22-2202**

Ohio University (the University) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), for the purpose of resolving the above-referenced complaint and ensuring compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35.

The University agrees to take the following actions:

1. By **June 2, 2023**, the University will modify the new ramp to the basement of the Clippinger Hall building (the Building) to comply with the applicable sections of the 2010 ADA Standards, including but not limited to Sections 303, 402, 404, 405, and 505.

Reporting Requirement: By **June 15, 2023**, the University will submit documentation to OCR, including but not limited to photographs, work orders, purchase orders, project plans, and, if necessary, interim plans verifying implementation of Item 1 above. OCR may conduct an onsite visit to the University to confirm that the ramp fully complies with the 2010 ADA Standards.

2. By **March 31, 2023**, the University will provide to OCR for its review and approval draft procedures to ensure that interested persons, including persons with mobility impairments, can obtain information as to the existence and location of services and activities that are accessible to and usable by persons with disabilities and how to request relocation of programs, services and activities that are not accessible. The procedures will include the title and contact information for an appropriate University contact person.
3. Within 30 calendar days of OCR's approval of the procedures referenced in Item 2 above, the University will adopt the procedures, post them in a prominent location on the University's website, publish the new procedures in any relevant online and hard copy publications, and provide notice of the new procedures to its students and staff.

Reporting Requirements: By **March 31, 2023**, the University will submit to OCR the draft procedures pursuant to Item 2. Within 45 calendar days of OCR's approval of the procedures referenced in Item 2 above, the University will provide OCR with documentation of its implementation of Item 3 above, including documentation that the procedures have been adopted, a link to where the revised policies are located on the University's website, a link to any online publications and a copy of any hard copy publications where the procedures are published and a copy of any notice sent to students and staff regarding the new procedures and a description of how the notice was provided.

4. By **March 31, 2023**, the University will submit to OCR for its review and approval revisions to its applicable policies, procedures, and/or practices to ensure that the Building elevator is maintained in operable working condition. The University's policies,

procedures, and/or practices will ensure that the elevator is not out of service for more than a reasonable period of time.

5. Within 30 calendar days of OCR's approval of the policies, procedures and/or practices referenced in Item 4 above, the University will adopt the policies, procedures and/or practices, publish them in any relevant University online and hard copy publications, and provide notice of the new policies, procedures and/or practices to staff responsible for maintaining the Building elevator.

Reporting Requirements: By **March 31, 2023**, the University will submit to OCR the draft policies, procedures, and/or practices pursuant to Item 4. Within 45 calendar days of OCR's approval of the procedures referenced in Item 4 above, the University will provide OCR with documentation of its compliance with Item 5 above, including documentation that the policies, procedures and/or practices have been adopted, a copy of any relevant online or hard copy publications where the revised policies, procedures and/or practices were published and a copy of any notice sent to relevant staff regarding the revised policies, procedures and/or practices and a description of how the notice was provided.

By **March 31, 2023**, the University will provide OCR with documentation demonstrating that it has maintained the elevator in operable working condition.

6. The University will provide training to the staff of the University's office of Student Accessibility Services (SAS) on the physical accessibility requirements of Section 504 and Title II, including but not limited to requirements regarding integration, notification of accessible elements, maintenance of accessible features, and accessibility for existing facilities and new construction.

Reporting Requirements: By **April 28, 2023**, the University will submit the proposed training materials, and the qualifications of the proposed trainer, to OCR for its review and approval prior to the training. Within 60 calendar days of OCR's approval of the training materials and the qualifications of the proposed trainer, the University will provide OCR with documentation showing that it has provided the training required by Item 6 above. Specifically, the University will provide the date(s) of the training, how the training was provided, verification of the names and titles of administrators and staff who received the training, and a copy of any materials used or distributed during the training.

General Requirements

The University understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the Agreement and/or Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35. Before initiating such proceedings, OCR will give the University written notice of the alleged breach and 60 calendar days to cure the alleged breach.

The University understands that OCR will not close the monitoring of this Agreement until OCR determines that the University has demonstrated compliance with all the terms of this Agreement and is in compliance with Section 504 and Title II and their implementing regulations, 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which were at issue in this complaint.

The Agreement will become effective immediately upon the signature of the University's representative below.

/S/

March 8, 2023

President or Designee

Date