

UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS, REGION II  
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NEW YORK, NY 10005-2500

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August 12, 2015

Thomas R. Rochon  
President  
Ithaca College  
953 Danby Road  
Ithaca, New York 14850

Re: Case No. 02-09-2080  
Ithaca College

Dear President Rochon:

This letter is to notify you of the determination made by the U.S. Department of Education, New York Office for Civil Rights (OCR), with respect to the above-referenced complaint filed against Ithaca College. The complainant alleged that a residential life staff member harassed students with mobility impairments by continuously denying their requests for housing in accessible dormitories and in dormitories that are located closest to the buildings and facilities that those students frequently use (Allegation 1); various campus facilities are inaccessible to individuals with disabilities (Allegation 2); the College's on-campus parking lots do not have the required number of accessible parking spaces (Allegation 3); and the routes to the Williams Hall building do not have an appropriate number of curb ramps (Allegation 4).

OCR is responsible for enforcing Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794 et seq., and its implementing regulation at 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability in programs or activities receiving financial assistance from the U.S. Department of Education (the Department). The College is a recipient of financial assistance from the Department. Therefore, OCR has jurisdictional authority to investigate this complaint under Section 504.

Ithaca College (the College), founded in 1892, is a private, coeducational four-year college located in Ithaca, New York. Approximately 5,968 undergraduate and graduate students are enrolled at the College, in 101 undergraduate programs and majors. The College is located on 757 contiguous acres, with approximately 81 administrative buildings and residential halls, including three apartment complexes.

In its investigation, OCR reviewed information that the College and the complainant submitted. OCR also interviewed students and College staff, and conducted an on-site inspection of College campus facilities. OCR determined that the College owns the building facilities referenced in Allegations 1- 4.

**Allegation 1**

With respect to Allegation 1, the complainant alleged that the College's Residential Life Assistant Director of Housing Services and Communication (the Assistant Director) harassed students with mobility impairments, by continuously denying their requests for housing in accessible dormitories and in dormitories that are located

closest to the buildings and facilities that students frequently use. The complainant stated that the Assistant Director placed students with mobility impairments in the dormitories that were on the periphery of campus. The complainant alleged that in [REDACTED],<sup>1</sup> she specifically requested housing nearer to other buildings on campus and was not accommodated. The complainant advised OCR that there was a [REDACTED] student (for whom she did not provide a name or other identifying information) who had a [REDACTED], whom the Assistant Director allegedly placed in Emerson Hall, the building furthest away from lectures and College programs.

OCR determined that to obtain housing accommodations at the College, students with mobility impairments must submit a completed preliminary Residential Life Special Housing Accommodation Request Application Form (the Form),<sup>2</sup> identifying themselves as individuals with disabilities requiring special housing, to the Office of Students with Disabilities Services (OSDS).<sup>3</sup> The OSDS reviews students' applications and accompanying documentation to establish whether the students' functional limitations correlate with their proposed medical needs.<sup>4</sup> Once the OSDS determines a student's appropriate accommodations, it forwards its approval to the College's Office of Residential Life (Res Life) to provide the actual dormitory accommodations to meet the student's needs. OCR determined that Res Life staff members typically are not aware of a student's specific disability; the OSDS provides Res Life with only the student's name and the type of accommodation the student is seeking.<sup>5</sup> A Res Life staff member (usually the Assistant Director) then meets with the student to work collaboratively to identify the best dormitory placement for the student. OCR determined that because the accommodation is already approved by OSDS, the Assistant Director's responsibility is limited to implementing OSDS' recommendations. OCR determined that the Assistant Director reviews lists of available residential options with accommodating features with the student, and discusses these with the student requesting the accommodation in light of the student's individual mobility needs. The Assistant Director denied that she harassed any students with disabilities by continuously denying their requests for housing in accessible dorms.

With respect to the complainant, OCR determined that in [REDACTED], the complainant requested a room in the [REDACTED] with a grab bar in the bathroom for academic year 2008-2009. Res Life staff informed OCR that the complainant was placed in the [REDACTED], as she requested. OCR further determined that the Circle Apartments are located at the edge of the campus in an area further away from campus academic buildings than other residential buildings; however, OCR determined that students, particularly upperclassmen, considered the Circle Apartments a desirable dorm, despite the location. OCR did not find, nor did the complainant provide evidence that she requested a room in a different dormitory, closer to the academic buildings on campus; or that the Assistant Director denied any such request.

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<sup>1</sup> OCR determined that the complainant initially requested an accessible dormitory apartment in [REDACTED]; and in [REDACTED], amended her request to include a room with a [REDACTED]. The complainant stated that she first expressed a preference for a dormitory closer to other buildings on campus in [REDACTED].

<sup>2</sup> The Form states that each request is evaluated individually based on the supporting documentation provided; and once a request is approved, a recommendation will be made to the Office of Residential Life. During periods when class is in session and students are on campus, the Assistant Director contacts the student to arrange a meeting concerning available housing options.

<sup>3</sup> The OSDS was formerly the Office of Academic Support Services.

<sup>4</sup> The approval process for obtaining accommodations includes application review by the OSDS's [REDACTED] permanent counselors, who address "99%" of accommodation requests. In instances where the accommodation requires specialized knowledge of a disability, and the OSDS counselors do not have the expertise to evaluate the disability, a group of individuals from varying disciplines that make up the "committee for special housing" assists OSDS counselors with determining accommodations.

<sup>5</sup> For example, if a student with a mobility impairment requires a room on the ground floor, the approved accommodation from OSDS would cite only the need for a dormitory room on the ground floor.

OCR interviewed students who registered with OSDS as mobility impaired during academic year **xxxx-xxxx**.<sup>6</sup> OCR determined that in academic year **xxxx-xxxx**, the Assistant Director was responsible for arranging all approved housing accommodations. All of the students interviewed, excluding the complainant, confirmed the process as described by Res Life staff; and stated that the Assistant Director and other Res Life staff reviewed several housing options with them. Each student stated that he or she was offered the dormitory room of his or her preference. Further, none of the students interviewed reported being placed in dormitories far away from the campus buildings they frequented; and none were aware of other students who were so placed.<sup>7</sup> The complainant did not provide, nor did OCR find evidence to corroborate that students with mobility impairments were routinely denied housing in accessible dormitories or in dormitories that are located closest to the buildings and facilities that students frequently used.

Based on the above, OCR determined that there was insufficient evidence to substantiate the complainant's allegation that the Assistant Director harassed students with mobility impairments by continuously denying their requests for housing in accessible dormitories and in dormitories that are located closest to the buildings and facilities that students frequent. Accordingly, OCR will take no further action with respect to Allegation 1.

## Allegation 2

The complainant alleged that various campus facilities were inaccessible to individuals with disabilities, as follows:

- **Friends Hall** – the south entrance does not have a ramp, some levels of the building are not accessible because the building does not have an elevator, and restroom doors are not accessible;
- **Hammond Health Center** – the counseling center is not accessible because it does not have an entrance ramp, nor can it be accessed by the elevator; the entrance and restroom doors are not accessible; and the elevator is not accessible;
- **Phillips Hall** – the entrance doors to the Mail Center are not accessible, the elevator is frequently inoperable, and the restroom doors are not accessible;
- **Ceracche Center** – the entrance does not have a ramp, the entrance and restroom doors are not accessible, and some levels of the building are not accessible because the building does not have an elevator;
- **Hill Center** – restroom doors are not accessible;
- **Terrace Dining Hall** – the entrance and restroom doors are not accessible, and some levels of the building are not accessible because the building does not have an elevator;
- **Hood Hall** – the entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible;

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<sup>6</sup> OCR reviewed the Student Housing List of 10 students with **xxxx xxxxxx**, including the complainant, who requested housing during academic year **xxxx-xxxx**. Six students, including the complainant, agreed to provide OCR with information regarding their experiences with the Res Life process.

<sup>7</sup> OCR could not identify the male student cited by the complainant who was allegedly placed in Emerson Hall from the list of students with mobility impairments.

- **Hilliard Hall** – the entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible;
- **Emerson Hall** – the entrance and bathroom doors are not accessible, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible;
- **Muller Chapel** – one of the entrances does not have a ramp, the entrance and restroom doors are not accessible, and some levels of the building are not accessible because the building does not have an elevator;
- **Textor Hall** – the south entrance does not have a ramp, the entrance and restroom doors are not accessible, and some levels of the building are not accessible because the building does not have an elevator;
- **Muller Faculty Center** – the south entrance does not have a ramp, the entrance and restroom doors are not accessible, and the elevator is not accessible;
- **Towers Concourse** – the entrance does not have a ramp, the entrance and restroom doors are not accessible, and some levels of the building are not accessible because the building does not have an elevator;
- **Towers Dining Hall** – the entrance does not have a ramp, the entrance and restroom doors are not accessible, and some levels of the building are not accessible because the building does not have an elevators;
- **Gannett Center** – some levels of the building are not accessible because the building requires an additional elevator, and the restroom doors are not accessible;
- **East Tower** – the entrance does not have a ramp, the entrance and bathroom doors are not accessible, the routes to the elevators are not accessible as they contain stairs, bathrooms do not have accessible showers, and bedrooms are not accessible;
- **Holmes Hall** – the entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible;
- **The Terraces** – terraces do not have entrance ramps, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have an elevator, bathrooms do not contain accessible showers, and bedrooms are not accessible;
- **Public Safety** – restroom doors are not accessible;
- **West Tower** – the entrance does not have a ramp, the entrance and bathroom doors are not accessible, the routes to the elevators are not accessible as they contain stairs, bathrooms do not have accessible showers, and bedrooms are not accessible;

- **Rowland Hall** – the entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible;
- **Tallcott Hall** – the entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible;
- **Landon Hall** – the entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible;
- **Bogart Hall** – the entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible;
- **Clarke Hall** – the entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible;
- **Lyon Hall** – the entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible;
- **Eastman Hall** – the entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible;
- **Park Hall** – the entrance and restroom doors are not accessible, some levels of the building are not accessible because the building requires an additional elevator, and the restrooms do not have accessible toilet stalls;
- **Smiddy Hall** – the entrance and restroom doors are not accessible, and the elevator is not accessible;
- **Alumni Hall** – the entrance and restroom doors are not accessible, and some levels of the building are not accessible because the building does not have an elevator;
- **Peggy Ryan Williams Center** – the main entrance and restroom doors are not accessible;
- **Dorothy D. and Roy H. Park Center for Business** – one of the entrances does not have a ramp, restroom doors are not accessible, and the upper levels of the building are not accessible from the lower level of the building because it does not have an elevator;
- **Job Hall** – the south entrance of the building does not have a ramp, the entrance and restroom doors are not accessible, and the elevator is not accessible;
- **Williams Hall** – one entrance does not have a ramp, and restroom doors are not accessible;

- **Center for Natural Sciences** – some levels of the building are not accessible because the building requires an additional elevator, and restroom doors are not accessible;
- **Administration Annex** – the entrance and restroom doors are not accessible, the restrooms do not have accessible toilet stalls, and some levels of the building are not accessible because the building does not have an elevator;
- **Egbert Hall** – the entrance does not have a ramp, the entrance and restroom doors are not accessible, the elevator is not accessible, and the first floor cannot be accessed by the elevator;
- **Fitness Center** – the entrance and restroom doors are not accessible;
- **Whalen Center** – the entrance and restroom doors are not accessible;
- **Dillingham Center** – the entrance does not have a ramp, the entrance and restroom doors are not accessible, and some levels of the building are not accessible because the building does not have an elevator;
- **Center for Health and Sciences** – the second main entrance does not have a ramp, the second main entrance and restroom doors are not accessible, and some levels of the building are not accessible because the building requires an additional elevator;
- **Circle Apartments** – some levels of the building are not accessible because the building does not have an elevator, bathroom doors are not accessible, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible;
- **Garden Apartments** – the entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible;
- **Boothroyd Hall** – the entrance and bathroom doors are not accessible, bathrooms do not contain accessible showers, and bedrooms are not accessible;
- **Ford Observatory** – restroom doors are not accessible;

The regulation implementing Section 504, at 34 C.F.R. § 104.21, provides that “[n]o qualified person with a disability shall, because a recipient’s facilities are inaccessible to or unusable by individuals with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which this part applies.”

OCR determined that 29 buildings were constructed before June 3, 1977: Job Hall; Dillingham Center; Friends Hall; Hammond Health Center; Phillips Hall; Ceracche Center; Hill Center; Terrace Dining Hall; Hood Hall; Hilliard Hall; Emerson Hall; Muller Chapel; Textor Hall; Muller Faculty Center; Towers Concourse; Towers Dining Hall; Gannet Center; East Tower; Holmes Hall; The Terraces; Public Safety Building; West Tower; Rowland Hall; Tallcott Hall; Landon Hall; Bogart Hall; Clarke Hall; Lyon Hall; and, Eastman Hall. The regulation implementing Section 504, at 34 C.F.R. §104.22, categorizes facilities constructed on or before June

3, 1977, as “existing facilities”. Accordingly, OCR determined that these 29 buildings are “existing facilities” under the regulation implementing Section 504. The regulation implementing Section 504 requires a recipient to operate each program or activity conducted in existing facilities so that the program or activity, when viewed in its entirety, is readily accessible to individuals with disabilities. The regulation implementing Section 504 does not require a recipient to make structural changes to existing facilities. A recipient may comply through means such as redesign of equipment, or reassignment of classes or other services to accessible buildings or locations. Where programs or activities cannot or will not be made accessible using alternative methods, structural changes may be required in order for recipients to comply. Any portions of the facilities that were altered after June 3, 1977; however, must meet applicable accessibility standards.

### **Friends Hall**

The complainant alleged that the south entrance at Friends Hall did not have a ramp, and that some levels of the building were not accessible because the building does not have an elevator. OCR determined that Friends Hall has three floors, and the building does not have an elevator. OCR confirmed that the south entrance was not accessible. Additionally, OCR determined that the second floor entrance (west side entrance) was not accessible. The College asserted that it had an alternate plan for providing access to the building; specifically, that the ground floor was accessible with ramps on the east and west sides in the pedestrian concourse, and that the second floor was accessible through a connecting link from Friends Hall to the Park Center. OCR confirmed this during the on-site; however, OCR also confirmed that there was no alternate method to gain access to the third floor.

The complainant also alleged that entrances to the restrooms were not accessible. OCR confirmed that the restrooms were not accessible. The College asserted that it had an alternate plan for providing access to restrooms; specifically, the College asserted that accessible restrooms were available in connecting buildings (Park Center and Job Hall). OCR determined that this was an acceptable alternate plan. OCR determined that Job Hall is very close to Friends Hall (the buildings are connected with an internal walkway); however, the door on the route to the Job Hall restrooms is too heavy. OCR determined that Park Center is also very close and can be accessed through another connecting hallway. The College will need to develop an alternate plan to ensure that each program or activity conducted in Friends Hall, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Hammond Health Center**

The complainant alleged that the counseling center within the Hammond Health Center was not accessible because it does not have an entrance ramp, nor can it be accessed by the elevator. OCR determined that the Counseling Center is located in the basement. Further, OCR determined that individuals can gain access to the basement level by way of an elevator located on the ground floor of the building. The elevator is key-operated by an individual from the business office, who sits directly across from the elevator. Once the key is turned, the elevator goes down to the counseling center but no key is required to return to the first floor where there is an accessible route out of the building.

The complainant also alleged that the entrance to the Hammond Health Center was not accessible. OCR determined that there were accessibility issues regarding the main entrance to the Hammond Health Center building (See Appendix A).

The complainant also alleged that the restroom doors of the Hammond Health Center were not accessible. The College asserted that the 1st floor restrooms had accessible doors; however, OCR found compliance concerns

with the door pull (in excess of 5 lbs.) and determined that the restroom entrances lacked appropriate maneuvering clearance (See Appendix A).

The complainant also alleged that the elevator was not accessible. OCR determined that although the elevator did not meet all current accessibility standards regarding call buttons and car position indicators, the elevator was otherwise accessible to the disabled. As this is an existing facility, the College has met the existing facility requirements regarding the elevator.

Due to the accessibility issues regarding the entrance and the restroom doors, the College will need to develop an alternate plan to ensure that each program or activity conducted in Hammond Health Center, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Phillips Hall**

The complainant alleged that the entrance doors to the Mail Center in Phillips Hall were not accessible; the elevator was frequently inoperable; and the restroom doors were not accessible. OCR identified compliance concerns regarding the exterior route and entrance to the Mail Center; and entrances to the restrooms (See Appendix A). The College asserted that the elevator was accessible and operable. OCR confirmed that by way of the elevator in Phillips Hall, an individual can access all floors of Phillips Hall as well as the second and third floors of Egbert Hall through an interior route. Due to the accessibility issues regarding the route and entrance to the Mail Center and the entrances to the restrooms, the College will need to develop an alternate plan to ensure that each program or activity conducted in Phillips Hall, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Ceracche Center**

The complainant alleged that the entrance to the Ceracche Center did not have a ramp; the entrance and restroom doors were not accessible; and some levels of the building were not accessible because the building does not have an elevator. OCR determined that Ceracche Center has two floors and no elevator. Accordingly, OCR confirmed that the second floor of the building is not accessible because the building does not have an elevator. OCR further determined that the entrances to restrooms were not accessible; and, the ground floor entrance to the building (north side) lacked a ramp and was otherwise not accessible (See Appendix A). The College will need to develop an alternate plan to ensure that each program or activity conducted in the Ceracche Center, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Hill Center**

The complainant alleged that the restroom doors in the Hill Center were not accessible. OCR identified accessibility issues regarding the entrances to the restrooms (see Appendix A). The College will need to develop an alternate plan to ensure that each program or activity conducted in the Hill Center, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Terrace Dining Hall**

The complainant alleged that the entrance and restroom doors at Terrace Dining Hall were not accessible, and that some levels of the building were not accessible because the building does not have an elevator. OCR determined that Terrace Dining Hall has two floors and no elevator. OCR confirmed that the second floor of the building was not accessible because the building does not have an elevator. Further OCR determined that the restrooms were not accessible; and there were accessibility issues regarding the main entrance (west side entrance) of the building (See Appendix A). The College will need to develop an alternate plan to ensure that each program or activity conducted in Terrace Dining Hall, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Hood Hall**

The complainant alleged that the entrance of Hood Hall did not have a ramp; the entrance and bathroom doors were not accessible; some levels of the building are not accessible because the building does not have elevators; bathrooms did not contain accessible toilet stalls or showers; and bedrooms were not accessible. OCR determined that Hood Hall has three floors and no elevator. The College asserted that the community bathroom and shower on the first floor of Hood Hall was accessible; however, OCR identified some accessibility issues (see Appendix A). Further, OCR identified some accessibility issues with the entrance (see Appendix A). The College will need to develop an alternate plan to ensure that each program or activity conducted in Hood Hall, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Hilliard Hall**

The complainant alleged that the entrance to Hilliard Hall did not have a ramp; the entrance and bathroom doors were not accessible; some levels of the building were not accessible because the building does not have elevators; bathrooms do not contain accessible toilet stalls or showers; and the bedrooms are not accessible. OCR determined that Hilliard Hall has three floors and no elevator. OCR determined that the entrance was accessible; however, the second and third floors were inaccessible because of the lack of an elevator. The College asserted that the community bathroom and shower on the first floor of Hilliard Hall was accessible; however, OCR identified some accessibility issues (see Appendix A). The College will need to develop an alternate plan to ensure that each program or activity conducted in Hilliard Hall, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Emerson Hall**

The complainant alleged that the entrance and bathroom doors at Emerson Hall were not accessible; the bathrooms did not contain accessible toilet stalls or showers; and, the bedrooms were not accessible. OCR identified compliance concerns regarding the exterior route to the main entrance at Emerson Hall; and, the toilet stalls. There were no compliance concerns with the accessible shower. The College acknowledged that the bedrooms were not accessible. Some of these items had been altered after June 3, 1977; accordingly, the College will need to make the structural changes noted in Appendix A for altered portions of the facility. For existing portions of the facility with accessibility concerns, the College will need to develop an alternate plan to ensure that each of these programs or activities, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Muller Chapel**

The complainant alleged that one of the entrances to Muller Chapel did not have a ramp; the entrance and restroom doors were not accessible; and some levels of the building were not accessible because the building does not have an elevator. OCR determined that Muller Chapel has two floors and no elevator; however, OCR determined that both levels of the building (the first floor and the ground floor) have entrances. Both of the first floor entrances are accessible. OCR identified accessibility issues with regard to the route to the ground floor designated accessible entrance and the doors to the entrance. OCR determined that the entrances to the restrooms were not accessible. Some of these items had been altered after June 3, 1977; accordingly, the College will need to make the structural changes noted in Appendix A for altered portions of the facility. For existing portions of the facility with accessibility concerns, the College will need to develop an alternate plan to ensure that each of these programs or activities, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Textor Hall**

The complainant alleged that the south entrance of Textor Hall did not have a ramp; the entrance and restroom doors were not accessible; and some levels of the building were not accessible because the building does not have an elevator. OCR determined that Textor Hall only had one floor and no restrooms. OCR identified accessibility issues regarding the north and south entrances, including the ramp at the south entrance, and some interior routes. The College will need to develop an alternate plan to ensure that each of these programs or activities, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Muller Faculty Center**

The complainant alleged that the south entrance to the Muller Faculty Center did not have a ramp; the entrance and restroom doors were not accessible; and the elevator was not accessible. OCR identified accessibility issues regarding the north entrance of the Muller Faculty Center; the doors to restrooms on the 1<sup>st</sup>, 3<sup>rd</sup>, and 4<sup>th</sup> floors; and the elevator. Some of these items had been altered after June 3, 1977; accordingly, the College will need to make the structural changes noted in Appendix A for altered portions of the facility. For existing portions of the facility with accessibility concerns, the College will need to develop an alternate plan to ensure that each of these programs or activities, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Towers Concourse/Towers Dining Hall**

The complainant alleged that the entrance to the Towers Concourse did not have a ramp; the entrance and restroom doors were not accessible; and that some levels of the building were not accessible because the building does not have an elevator. With regard to the Towers Dining Hall, located on the second floor of the Towers Concourse, the complainant alleged that the entrance to Towers Dining Hall did not have a ramp; the entrance and restroom doors were not accessible; and its location on the second floor made it inaccessible because the building did not have an elevator. OCR determined that the building had two floors and no elevator; however, OCR determined that the entrance to the Towers Dining Hall was accessible, and there is a wheelchair lift from Towers Concourse to Towers Dining Hall. OCR determined that the entrance to Towers Concourse lacked a ramp, and identified other accessibility issues regarding the doors at the southwest

accessible entrance of Towers Concourse. Further OCR identified accessibility issues regarding the restroom doors on the main floor of Towers Concourse; there were no restrooms in the Towers Dining Hall. Some of these items had been altered after June 3, 1977; accordingly, the College will need to make the structural changes noted in Appendix A for altered portions of the facility. For existing portions of the facility with accessibility concerns, the College will need to develop an alternate plan to ensure that each of these programs or activities, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Gannett Center**

The complainant alleged that some levels of the Gannett Center were not accessible because the building required an additional elevator, and that the restroom doors were not accessible. OCR determined that the Gannett Center had an accessible elevator that accesses all floors; however, it is key operated and there are no notations regarding how to obtain the key for operation. No additional elevator is required. OCR identified accessibility issues regarding the restroom doors. Some of these items had been altered after June 3, 1977; accordingly, the College will need to make the structural changes noted in Appendix A for altered portions of the facility. For existing portions of the facility with accessibility concerns, the College will need to develop an alternate plan to ensure that each of these programs or activities, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **East Tower**

The complainant alleged that the entrance to the East Tower did not have a ramp; the entrance and bathroom doors were not accessible; the routes to the elevators were not accessible as they contained stairs; bathrooms did not have accessible showers; and bedrooms were not accessible. OCR identified no compliance issues regarding the route to the elevators. OCR identified accessibility issues regarding the ramp to the entrance; the entrance doors; and, the elevators. The College acknowledged that the bedrooms, bathrooms and showers were inaccessible. Some of these items had been altered after June 3, 1977; accordingly, the College will need to make the structural changes noted in Appendix A for altered portions of the facility. For existing portions of the facility with accessibility concerns, the College will need to develop an alternate plan to ensure that each of these programs or activities, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Holmes Hall**

The complainant alleged that the entrance to Holmes Hall did not have a ramp; the entrance and bathroom doors were not accessible; some levels of the building were not accessible because the building did not have elevators; bathrooms did not contain accessible toilet stalls or showers; and bedrooms were not accessible. OCR determined that the building lacked an elevator; therefore, upper floors were inaccessible. OCR determined that a ramp was not required at the accessible entrance; however, OCR identified accessibility issues regarding the exterior route to the accessible entrance, the entrance doors, and, the lack of accessible bedrooms and restrooms. Some of these items had been altered after June 3, 1977; accordingly, the College will need to make the structural changes noted in Appendix A for altered portions of the facility. For existing portions of the facility with accessibility concerns, the College will need to develop an alternate plan to ensure that each of these programs or activities, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Terraces**

The complainant alleged that the Terraces did not have entrance ramps; the entrance and bathroom doors were not accessible; some levels of the building were not accessible because the building did not have an elevator; bathrooms did not contain accessible showers; and bedrooms were not accessible. OCR determined that the building has three floors and no elevator; accordingly, some levels of the building were not accessible. OCR also identified accessibility issues regarding the entrance ramp; entrance doors; and, bathroom doors. Some of these items had been altered after June 3, 1977; accordingly, the College will need to make the structural changes noted in Appendix A for altered portions of the facility. For existing portions of the facility with accessibility concerns, the College will need to develop an alternate plan to ensure that each of these programs or activities, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Job Hall**

The complainant alleged that the south entrance of Job Hall did not have a ramp; the entrance and restroom doors were not accessible; and the elevator was not accessible. OCR identified accessibility issues regarding the north and south entrances of Job Hall; the bathroom doors; and, the elevator. Some of these items had been altered after June 3, 1977; accordingly, the College will need to make the structural changes noted in Appendix A for altered portions of the facility. For existing portions of the facility with accessibility concerns, the College will need to develop an alternate plan to ensure that each of these programs or activities, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Dillingham Center**

The complainant alleged that the entrance to the Dillingham Center did not have a ramp; the entrance and restroom doors were not accessible; and that some levels of the building were not accessible because the building does not have an elevator. OCR determined that the main entrance had a ramp, but identified accessibility issues regarding the doors at the front entrance and the accessible entrance. OCR determined that the building has two accessible elevators that can access all floors. OCR also identified accessibility issues regarding the restroom doors and the lack of an accessible interior route. OCR determined that some of these items had been altered after June 3, 1977; accordingly, the College will need to make the structural changes noted in Appendix A for altered portions of the facility. For existing portions of the facility with accessibility concerns, the College will need to develop an alternate plan to ensure that each of these programs or activities, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes noted in Appendix A.

### **Public Safety Building**

The complainant alleged that the restroom doors of the campus' Public Safety building were not accessible. OCR's inspection revealed that both the men's and women's accessible restrooms located on the first floor were compliant.

### **Tower West**

The complainant alleged that the entrance does not have a ramp, the entrance and bathroom doors are not accessible, the routes to the elevators are not accessible as they contain stairs, bathrooms do not have accessible

showers, and bedrooms are not accessible. OCR did not inspect Tower West, as the College acknowledged that it was inaccessible. The College will need to develop an alternate plan to ensure that each of the programs or activities operated in the facility, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes to achieve accessibility.

**Rowland Hall**

The complainant alleged that the entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible. OCR did not inspect Rowland Hall, because the College acknowledged that it was inaccessible. The College will need to develop an alternate plan to ensure that each program or activity conducted in Rowland Hall, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make the structural changes to achieve accessibility.

**Tallcott Hall**

The complainant alleged that the entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible. OCR did not inspect Tallcott Hall, because the College acknowledged that it was inaccessible. The College will need to develop an alternate plan to ensure that each program or activity conducted in Tallcott Hall, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make structural changes to achieve accessibility.

**Landon Hall**

The complainant alleged that entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible. OCR did not inspect Landon Hall, because the College acknowledged that it was inaccessible. The College will need to develop an alternate plan to ensure that each program or activity conducted in Landon Hall, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make structural changes to achieve accessibility.

**Bogart Hall**

The complainant alleged that the entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible. OCR did not inspect Bogart Hall, because the College acknowledged that it was inaccessible. The College will need to develop an alternate plan to ensure that each program or activity conducted in Bogart Hall, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make structural changes to achieve accessibility.

**Clarke Hall**

The complainant alleged that the entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible. OCR did not inspect Clarke Hall, because the College acknowledged that it was inaccessible. The College will need to develop an alternate plan to ensure that each program or activity conducted in Clarke Hall, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make structural changes to achieve accessibility.

**Lyon Hall**

The complainant alleged that entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible. OCR did not inspect Lyon Hall, because the College acknowledged that it was inaccessible. The College will need to develop an alternate plan to ensure that each program or activity conducted in Lyon Hall, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make structural changes to achieve accessibility.

**Eastman Hall**

The complainant alleged that the entrance does not have a ramp, the entrance and bathroom doors are not accessible, some levels of the building are not accessible because the building does not have elevators, bathrooms do not contain accessible toilet stalls or showers, and bedrooms are not accessible. OCR did not inspect Eastman Hall, because the College acknowledged that it was inaccessible. The College will need to develop an alternate plan to ensure that each program or activity conducted in Eastman Hall, when viewed in its entirety, is readily accessible to individuals with disabilities; or, make structural changes to achieve accessibility.

OCR determined that the remainder of buildings identified by the complainant were constructed or completely altered after June 3, 1977. The regulation implementing Section 504, at 34 C.F.R. § 104.23, categorizes facilities constructed or altered after June 3, 1977, as “new construction”. Accordingly, OCR determined that the remainder of the buildings (or elements therein) identified by the complainant are “new construction” under the regulation implementing Section 504.

OCR determined that three of the buildings identified by the complainant were constructed or completely altered after June 2, 1977, but before January 18, 1991: Park Hall; Smiddy Hall; and, Alumni Hall. The regulation implementing Section 504 requires that all buildings constructed or alterations to existing facilities made after June 2, 1977, but before January 18, 1991, must conform to at least the American National Standards Institute’s (ANSI) standards.

**Park Hall**

The complainant alleged that the entrance and restroom doors at Park Hall were not accessible; some levels of the building were not accessible because the building requires an additional elevator; and the restrooms did not have accessible toilet stalls. OCR found no issues with accessing all floors of the building with the elevator that

is currently in the building; there is no requirement that the College install an additional elevator. OCR identified compliance issues regarding the main and side entrances to Park Hall; and, the restrooms doors within Park Hall (See Appendix B). The College will need to make the structural changes noted in Appendix B.

### **Smiddy Hall**

The complainant alleged that the entrance and restroom doors at Smiddy Hall were not accessible; and that the elevator was not accessible. OCR identified compliance concerns regarding the exterior route to the entrance; the doors at the front entrance; the routes to and from the elevator; and the side grab bars in the restrooms within Smiddy Hall (see Appendix B). The College will need to make the structural changes noted in Appendix B.

### **Alumni Hall**

The complainant alleged that the entrance and restroom doors in Alumni Hall were not accessible; and that some levels of the building were not accessible because the building does not have an elevator. OCR determined that Alumni Hall has an elevator; however, OCR identified compliance concerns regarding the elevator and the main entrance of Alumni Hall (See Appendix B). OCR determined that the restrooms are unisex accessible restrooms; and, OCR identified no issues regarding accessibility. The College will need to make the structural changes noted in Appendix B.

OCR determined that 13 of the buildings identified by the complainant were constructed or completely altered after January 18, 1991: Peggy Williams Center; Muller Chapel; Dorothy B. and Roy H. Park Center for Business; Williams Hall; Center for Natural Sciences; Administrative Annex; Egbert Hall/Campus Center; Fitness Center; Center for Health Sciences; Circle Apartments; Garden Apartments; Boothroyd; and, Ford Observatory.

The regulation implementing Section 504 requires that all buildings constructed or alterations to existing facilities made after January 18, 1991, must conform with the Uniform Federal Accessibility Standards (UFAS), or it must be clearly evident that equivalent access is provided to meet the requirements of Section 504, such as through compliance with the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADAAG) or 2010 ADA Standards for Accessible Design (2010 Standards).<sup>8</sup>

### **Peggy Williams Center**

The complainant alleged that the main entrance and restroom doors at the Peggy Williams Center were not accessible. OCR determined that the main entrance was compliant; the exterior doors were heavy, but there was a functioning automatic door and no other compliance concerns. OCR identified accessibility issues regarding the restroom doors at Peggy Williams Center (see Appendix C). The College will need to make the structural changes noted in Appendix C.

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<sup>8</sup> As of March 15, 2012, the 2010 Standards supersede UFAS and ADAAG for new construction or alteration of existing facilities.  
*The Department of Education's mission is to promote student achievement and preparation for global competitiveness  
by fostering educational excellence and ensuring equal access.*  
[www.ed.gov](http://www.ed.gov)

**Dorothy B. and Roy H. Park Center for Business**

The complainant alleged that one of the entrances to the Dorothy B. and Roy H. Park Center did not have a ramp; restroom doors were not accessible; and the upper levels of the building were not accessible from the lower level of the building because it does not have an elevator. OCR determined that there were three accessible entrances on the first floor (automatic doors with no compliance issues); as well as an accessible entrance on the second floor (automatic with no compliance issues). OCR determined that the building has a working elevator to access all levels of the building. OCR identified accessibility issues regarding bathroom doors and a shower, and interior routes (See Appendix C). The College will need to make the structural changes noted in Appendix C.

**Williams Hall**

The complainant alleged that one of the entrances to Williams Hall did not have a ramp, and that the restroom doors were not accessible. OCR identified accessibility issues regarding the exterior routes to the east and west entrances, including the lack of a ramp; and regarding restroom doors (See Appendix C). OCR determined that this facility was constructed in 1965; however, it was completely renovated in 1993, and accessible doors were added to the basement in 2009. Accordingly, the College will need to make the structural changes noted in Appendix C.

**Center for Natural Sciences**

The complainant alleged that some levels of the Center for Natural Sciences building were not accessible because the building required an additional elevator, and that the restroom doors were not accessible. OCR found no accessibility issues regarding the elevator; an additional elevator is not required. OCR identified accessibility issues regarding the restroom doors (See Appendix C). The College will need to make the structural changes noted in Appendix C.

**Administrative Annex**

The complainant alleged that the entrance and restroom doors at the Administrative Annex were not accessible; the restrooms did not have accessible toilet stalls; and that some levels of the building were not accessible because the building does not have an elevator. OCR determined that the Administrative Annex is only one floor. OCR identified accessibility issues regarding the entrance; the restroom doors; and, the toilet stalls (See Appendix C). The College will need to make the structural changes noted in Appendix C.

**Egbert Hall/Campus Center**

The complainant alleged that the entrance to Egbert Hall did not have a ramp; the entrance and restroom doors were not accessible; the elevator was not accessible; and the first floor could not be accessed by the elevator. OCR determined that there is a ramp and designated accessible entrance with power-assisted doors north of the main Egbert entrance at the junction of Egbert and Phillip Halls which serves both buildings as they are attached; however, OCR identified some accessibility issues regarding entrance doors (See Appendix C). OCR further determined that while the elevator in Egbert Hall was inaccessible, a mobility impaired individual could access the first floor by entering on the ground floor through the designated accessible entrance; and, could reach the second and third floors by utilizing the elevator in Phillips Hall. OCR determined that this facility was constructed in 1960; however, it was completely renovated in 1986, and the third floor was renovated again in 2009. Accordingly, the College will need to make the structural changes noted in Appendix C.

**Fitness Center**

The complainant alleged that the entrance and restroom doors in the Fitness Center were not accessible. OCR did not identify any accessibility concerns regarding the entrance or the restroom doors. OCR identified accessibility issues regarding the exterior route to the main entrance (See Appendix C). The College will need to make the structural changes noted in Appendix C.

**Whalen Center for Music**

The complainant alleged that the entrance and restroom doors at the Whalen Center for Music were not accessible. OCR identified accessibility issues regarding the exterior route to the main entrance; the door at the main entrance; and, the restroom doors (See Appendix C). The College will need to make the structural changes noted in Appendix C.

**Center for Health and Sciences**

The complainant alleged that the second main entrance to the Center for Health and Sciences did not have a ramp; the second main entrance and restroom doors were not accessible; and that some levels of the building were not accessible because the building required an additional elevator. OCR determined that the building has an accessible elevator that accesses all floors; no additional elevator is required. OCR identified accessibility issues regarding doors at the front entrance and the restroom doors. The main accessible entrance is at the back of the building, entrance (north entrance). The complainant's reference to the second main entrance is referred to as the front entrance (south entrance). The south entrance is a well-marked accessible entrance but with an entrance door that has compliance concern noted in appendix C. The College will need to make the structural changes noted in Appendix C.

**Circle Apartments**

The complainant alleged that some levels of the Circle Apartments building were not accessible because the building did not have an elevator; bathroom doors were not accessible; bathrooms did not contain accessible toilet stalls or showers; and bedrooms were not accessible. During the course of its investigation, the College advised OCR that the Circle Apartments were demolished in 2012.

**Garden Apartments**

The complainant alleged that the entrance to the Garden Apartments Building did not have a ramp; the entrance and bathroom doors were not accessible; that some levels of the building were not accessible because the building did not have elevators; bathrooms did not contain accessible toilet stalls or showers; and bedrooms were not accessible. OCR determined that the building has three floors and no elevator. The College acknowledged that there were only four accessible units, which were located on the first floor. OCR inspected these units and identified accessibility issues regarding furniture and the exterior accessible route to the entrance of the building (See Appendix C). OCR determined that this facility was constructed in 1970; however, two apartments were renovated in 2006 to make them accessible. Accordingly, the College will need to make the structural changes noted in Appendix C.

### **Boothroyd Hall**

The complainant alleged that the entrance and bathroom doors at Boothroyd Hall were not accessible; bathrooms did not contain accessible showers; and bedrooms were not accessible. OCR identified no compliance concerns with the entrance doors. OCR identified accessibility issues regarding restroom showers and restroom doors (See Appendix C). OCR determined that bedrooms were accessible. OCR determined that this facility was constructed in 1960; however, one apartment and the first floor restroom were renovated in 2007 to make these accessible. Accordingly, the College will need to make the structural changes noted in Appendix C.

### **Ford Observatory**

The complainant alleged that restroom doors at the Ford Observatory were not accessible. OCR identified accessibility issues regarding the exterior (main entrance) door; however the interior (lavatory) door was fully accessible. OCR also identified some accessibility issues with the restroom sink and the restroom grab bar (See Appendix C). The College will need to make the structural changes noted in Appendix C.

### **Allegation 3**

The complainant alleged that none of the parking lots on the College's campus had a sufficient number of designated accessible parking spaces. Initially, the College informed OCR that it had 37 parking lots – 18 student and 19 staff; however, during OCR's onsite inspection, the College provided OCR with updated information as of October 5, 2010, indicating that it had a total of 33 parking lots plus a separate, secure building, the Ford Observatory which contained its own parking, bringing the total to 34 parking lots. During its onsite inspection, OCR inspected 32 of the College's 34 parking lots.<sup>9</sup> The College stated that there are no accessible spaces in satellite lots because these are not adjacent to any college buildings; and students requiring accessible parking were expected to park in one of the more centrally-located lots.

OCR identified compliance concerns with respect to the number of accessible spaces, location, slope, width, ground surface and/or signage in 32 lots (See Appendix D). The College is required to address these accessibility concerns consistent with the ADA 2010 standards.

### **Allegation 4**

The complainant alleged that the routes to the Williams Hall facility did not have an appropriate number of curb ramps. Specifically, the complainant identified Williams Hall as an accessible building on campus, with ramps at both entrances; however, the complainant alleged that Williams Hall lacked appropriate curb ramps requiring students to walk all the way around the building to get to an accessible route.

OCR determined that Williams Hall was built in 1963. OCR determined that Williams Hall was altered first in 1993 to incorporate accessible elements, including elevators and pressure-sensitive mats for entrances. OCR determined that Williams Hall was altered again in 2009, to install accessible doors in the basement. Accordingly, OCR determined that the entrances to Williams Hall are new construction, as defined by Section

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<sup>9</sup> OCR did not survey the following parking lots, which were not located on the campus map provided to OCR during its onsite; however, based on information provided by the College, both of these lots have a sufficient number of accessible parking spaces: Alumni Hall (Total of 9 spots, 1 accessible) and Annex (Total of 7 spots, 1 accessible).

504 and the ADA. Therefore, the entrances and associated exterior routes, including curb ramps, must comply with UFAS, ADAAG, or an equivalent standard.

OCR determined that the College's Accessibility Guide identifies three accessible entrances/exits for Williams Hall (referred to as building 7); First floor west, First floor south, and First floor east (main entrance). Accessible parking and routes to Williams Hall are identified from parking lot E and parking lot U. OCR inspected the routes, and particularly, the curb ramps on the accessible routes from parking lots E and U to the identified accessible entrances at Williams Hall.

OCR determined that at least one route leading to the main entrance from where parking lot U of Williams Hall contains sufficient curb ramps; therefore, OCR found insufficient evidence to support the complainant's allegation that the route lacked a sufficient number of curb cuts. In reviewing the routes to all of the entrances designated as accessible by the College, however, OCR found compliance concerns regarding the absence of a curb ramp from the accessible parking spaces in lot E to the west entrance (See Appendix D); the slope of the curb ramp and the accessible route from lot U to the main (east) entrance. (See Appendix B). The College is required to address these accessibility concerns.

On August 4, 2015, the College signed the enclosed resolution agreement, attached hereto, which addresses the compliance concerns identified in this letter and in Appendices A, B, C, and D, below. OCR will monitor the implementation of the resolution agreement. If the College fails to implement the terms of the resolution agreement, OCR will resume its investigation of the complaint.

This letter should not be interpreted to address the College's compliance with any other regulatory provision or to address any issues other than those addressed in this letter. This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public. The complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the College may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the complainant may file another complaint alleging such treatment.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, it will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions about OCR's determination, please contact Anthony Spinelli, Compliance Team Investigator, at (646) 428-3789 or [anthony.spinelli@ed.gov](mailto:anthony.spinelli@ed.gov); Genara Necos, Compliance Team Attorney, at (646) 428-3828 or [genara.necos@ed.gov](mailto:genara.necos@ed.gov); or Nadja Allen Gill, Compliance Team Leader, at (646) 428-3801 or [nadja.r.allen.gill@ed.gov](mailto:nadja.r.allen.gill@ed.gov).

Sincerely,

/s/

Timothy C. J. Blanchard

Encl.

cc: Nancy Pringle, Esq.  
Phillip Garin JD