

RESOLUTION AGREEMENT

Arizona State University 08-16-2198

In order to resolve the above-referenced complaint filed against Arizona State University (University) and opened for investigation by the U.S. Department of Education, Office for Civil Rights pursuant to Section 504 of the Rehabilitation Act of 1973, 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, 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35. The University agrees to implement the following terms of this Resolution Agreement.

1. By **July 31, 2017**, the University agrees to remove the following barriers to access at the Classroom Laboratory/Computer Classroom (CLCC) on the west campus. The University will comply with the cited provisions of the 2010 ADA Standards for Accessible Design (2010 ADA Standards), 28 C.F.R. pt. 36, App. A., when taking the actions required by this Agreement.
 - a. The handrails at two of the series of ramps in the southeast quadrant of the building do not extend at least 12 inches beyond the top and bottom of each ramp. Provide handrails that extend at least 12 inches beyond the top and bottom of each ramp parallel with the ground surface. 2010 ADA Standards § 505.10
 - b. Interior doors – including classrooms, etc. – in the CLCC require more than 5 pounds of force to operate. For each interior door, that is not a fire-rated door or is not power-assisted or has an automatic opener, ensure that the door requires no more than 5 pounds of force to open. 2010 ADA Standards § 309.4.

REPORTING REQUIREMENT 1

Within thirty (30) days after the University has completed the actions required by Term 1, the University will submit a written report to OCR documenting that. The report will include, for example, detailed photographs showing the relevant measurements of all alterations or renovations, architectural plans, work orders, purchase orders, and invoices.

2. By **July 31, 2017**, the University agrees to remove the following barriers to access at the Physical Sciences “E” wing (PSE) on the main campus. The University will comply with the cited provisions of the 2010 ADA Standards for Accessible Design (2010 ADA Standards), 28 C.F.R. pt. 36, App. A., when taking the actions required by this Agreement.

The permanent room signage at laboratory classrooms is located over the door and does not have raised characters. Provide permanent room signage meeting the requirements of the Standards for raised characters, visual characters, and pictograms; accompanied by Grade 2 Braille. Tactile signs shall be mounted between 48 and 60 inches high on the wall adjacent to the latch side of the door or on the nearest adjacent wall (except that signs can be mounted on the inactive leaf of a double door or on the push side of doors

with closers and without hold-open devices); and shall be located so that a clear floor space of at least 18 inches by 18 inches, centered on the tactile characters, is provided beyond the arc of any door's swing between the closed and 45 degrees open positions. Standards §§ 216, 703.

REPORTING REQUIREMENT 2

Within thirty (30) days after the University has completed the actions required by Term 2, the University will submit a written report to OCR documenting that. The report will include, for example, detailed photographs showing the relevant measurements of all alterations or renovations, architectural plans, work orders, purchase orders, and invoices.

3. By **July 31, 2017**, the University agrees to remove the following barriers to access at the Physical Sciences "H" wing (PSH) on the main campus. The University will comply with the cited provisions of the 2010 ADA Standards for Accessible Design (2010 ADA Standards), 28 C.F.R. pt. 36, App. A., when taking the actions required by this Agreement.
 - a. The permanent room signage at laboratory classrooms is variously located over the door or on the wall adjacent to the door and does not have raised characters. Provide permanent room signage meeting the requirements of the Standards for raised characters, visual characters, and pictograms; accompanied by Grade 2 Braille. Tactile signs shall be mounted between 48 and 60 inches high on the wall adjacent to the latch side of the door or on the nearest adjacent wall (except that signs can be mounted on the inactive leaf of a double door or on the push side of doors with closers and without hold-open devices); and shall be located so that a clear floor space of at least 18 inches by 18 inches, centered on the tactile characters, is provided beyond the arc of any door's swing between the closed and 45 degrees open positions. Standards §§ 216, 703.
 - b. The wall-mounted shelf in room H244 is a protruding object that is not detectable to blind persons who use canes for way-finding. Provide an accessible route at this location such that no objects with their bottom leading edges measuring between 27 inches and 80 inches above the finished floor protrude more than 4 inches into walks, halls, corridors, passageways, or aisles. 2010 ADA Standards § 307.2.

REPORTING REQUIREMENT 3

Within thirty (30) days after the University has completed the actions required by Term 3, the University will submit a written report to OCR documenting that. The report will include, for example, detailed photographs showing the relevant measurements of all alterations or renovations, architectural plans, work orders, purchase orders, and invoices.

4. By **July 31, 2017**, the University agrees to remove the following barriers to access at the Life Sciences "E" wing (LSE) on the main campus. The University will comply with the cited provisions of the 2010 ADA Standards for Accessible Design (2010 ADA Standards), 28 C.F.R. pt. 36, App. A., when taking the actions required by this Agreement.

The permanent room signage at room S14 is located on the hinge side of the door. Provide permanent room signage meeting the requirements of the Standards for raised

characters, visual characters, and pictograms; accompanied by Grade 2 Braille. Tactile signs shall be mounted between 48 and 60 inches high on the wall adjacent to the latch side of the door or on the nearest adjacent wall (except that signs can be mounted on the inactive leaf of a double door or on the push side of doors with closers and without hold-open devices); and shall be located so that a clear floor space of at least 18 inches by 18 inches, centered on the tactile characters, is provided beyond the arc of any door's swing between the closed and 45 degrees open positions. Standards §§ 216, 703.

REPORTING REQUIREMENT 4

Within thirty (30) days after the University has completed the actions required by Term 4, the University will submit a written report to OCR documenting that. The report will include, for example, detailed photographs showing the relevant measurements of all alterations or renovations, architectural plans, work orders, purchase orders, and invoices.

5. The University will develop evacuation procedures for the CLCC or, at its option, for all University buildings. The evacuation procedures will address the evacuation needs of students, staff and visitors with a variety of disabilities (e.g. – visual, hearing, mobility and respiratory disabilities).

REPORTING REQUIREMENT 5: By **March 31, 2017**, the University will submit a copy of its draft evacuation procedures for OCR's review, feedback and approval.

6. Within thirty (30) days of receiving OCR's written approval, the University will implement the evacuation procedures. The University will also publish the evacuation procedures in, at a minimum, student and employee handbooks and on its website where it can be accessed by visitors.

REPORTING REQUIREMENT 6: Within fifteen (15) calendar days of implementation and publication, the University will submit to OCR copies of all documents and links to all webpages containing the evacuation procedures.

7. The University will develop a process to notify visitors to the CLCC of the University's evacuation procedures to ensure that visitors with disabilities are aware of the procedures and allow them the opportunity to notify University officials of their need for assistance in the event of an emergency evacuation.

REPORTING REQUIREMENT 7: By **July 31, 2017**, the University will submit a copy of its process for notifying visitors of the evacuation procedures for OCR's review, feedback and approval.

8. Within thirty (30) days of receiving OCR's written approval, the University will implement its process for notifying visitors to the CLCC of the evacuation procedures.

REPORTING REQUIREMENT 8: Within fifteen (15) calendar days of implementation, the University will submit to OCR documentation demonstrating it has implemented its process for notifying visitors.

- 9. By **September 1, 2017**, the University will provide training to all appropriate University staff located at the CLCC on the University’s evacuation procedures and process for notifying visitors about the evacuation procedures.

REPORTING REQUIREMENT 9: After the conclusion of the training, but no later than **September 15, 2017**, the University will submit to OCR documentation demonstrating the training was provided. The documentation will include:

- The agenda and handouts for the training;
- The date and time the training was held;
- The name(s) and qualifications of the training instructors; and
- A copy of the attendance sheets maintained for the training, including the name and title for each participant.

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 regulations implementing Section 504 and Title II, which were at issue in this case.

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 this Agreement. Further, the University understands that during the monitoring of the Agreement, if necessary, OCR may interview University employees 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 regulations implementing Section 504 and Title II, which were 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 the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR shall give the University written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

For Arizona State University:

/S/	11/15/16
Morgan Olsen	Date
Executive Vice President, Treasurer, and CFO	