

RESOLUTION AGREEMENT
Northern Michigan University
OCR Docket # 15-10-2039

Northern Michigan University (the University) voluntarily submits this Resolution Agreement to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve the above-referenced complaint and to ensure the University's compliance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, as well as with 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 take the actions listed below in order to provide individuals with disabilities, in particular those with mobility impairments, access to the University's facilities and programs. Modifications made pursuant to this agreement will be done in accordance with the 2010 ADA Standards for Accessible Design (the 2010 ADA Standards).

Action Steps

1. By December 15, 2013, the University will procure adequate numbers of accessible tables or desks for its classrooms that are furnished with chair desks, such as Gries Hall Room 166. The University will also develop a procedure to ensure that the accessible tables or desks are provided in the classrooms as needed for students with mobility impairments who are unable to use chair desks.
2. By March 15, 2014, the University will develop a plan to either adjust the opening force for each of the following interior doors to 5 lbf or, alternatively, for automatic doors, will verify to OCR that the door has standby power or remains open in the power off condition:
 - a. West Science Building – main entrance.
 - b. West Science Building – entrance to tunnel to Learning Resource Center.
 - c. Learning Resource Center – entrance to tunnel to West Science Building.
 - d. Hedgcock Building – entrance to tunnel to Thomas Fine Arts Building.
 - e. Gries Hall – entrance to tunnel to University Center.
 - f. University Center – entrance to tunnel to Gries Hall.
 - g. Physical Education Instructional Facility – entrance to tunnel to Events Center – both sets of doors.
3. By May 15, 2014, the University will modify the following facility elements to ensure accessibility in compliance with the 2010 ADA Standards:

Facility	Modification(s)	Relevant 2010 ADA Standard(s)
University Center elevator	Add Braille characters	407.2.3.1

	indicating floor level at hoistway entrance; add Braille designations immediately to the left of the car control buttons	407.4.7.1.2
Marketplace building entrance	Expand distance between the two sets of doors	404.2.6
West Science Building entrance to tunnel to Learning Resource Center	Expand maneuvering clearance on the tunnel side of the entrance; Create ADA-compliant ramp for the route down from the entrance into the tunnel, including slope limits and handrails	Table 404.2.4.1(g) 405 505
Thomas Fine Arts Building entrance to tunnel to Hedgcock Building	Lower the threshold	404.2.5
Physical Education Instructional Facility entrance to tunnel to Events Center	Create ADA-compliant ramp for the route from the entrance into the tunnel, including slope limits and handrails	405 505

REPORTING REQUIREMENTS: By December 15, 2013, the University will submit documentation to OCR verifying its implementation of Action Step 1. By March 15, 2014, the University will submit documentation to OCR verifying its implementation of Action Step 2. By May 15, 2014, the University will submit documentation to OCR verifying its implementation of Action Step 3. Documentation may include photographs, work orders, purchase orders, or other documentation. OCR may conduct an onsite visit of the University’s campus to confirm full implementation of these items in accordance with the 2010 ADA Standards.

General Requirements

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 Section 504 and its implementing regulation at 34 C.F.R. Part 104, Subpart C, and Title II and its implementing regulation at 28 C.F.R. Part 35, Subpart D, 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 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 of this agreement and is in compliance with Section 504 and its implementing regulation at 34 C.F.R. Part 104, Subpart C, and Title II and its implementing regulation at 28 C.F.R. Part 35, Subpart D.

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.

/s/

11/19/2013

President or Designee
Northern Michigan University

Date