

CAL POLY HUMBOLDT

University Senate

Sense of the Senate Resolution on Transitioning to a Campus that is Accessible To Individuals with Disabilities

19-23/24-EX - April 23, 2024

WHEREAS: The Cal Poly Humboldt Strategic Enrollment Management Plan (<https://sem.humboldt.edu/>) states in Item 4.3(e):

All campus buildings and areas are fully accessible to campus population (including transportation/mobility getting from one side to the other)

WHEREAS: Organizations including the City of Arcata provide a publicly accessible ADA Transition Plan, including the status of issues, and the results of evaluations (<https://www.cityofarcata.org/773/ADA-Transition-Plan>). We have plans for transitioning, of which progress has been made, but it is complex and not easily accessible.

WHEREAS: Campus has had a number of physical upgrades since the passing of the ADA in 1990 including the addition of accessible bathrooms, modifications to sidewalks, and the installation of automatic doors. Additionally, with every new project or renovation, accessibility requirements are constructed in accordance with the applicable sections 11A and 11B of the relevant California Building Code cycle. Currently our campus buildings and grounds, Facility Condition Audit (FCA), which is the university's primary database for all recurring and non-recurring maintenance projects including accessibility, demonstrates an existing list of 264 items. This is down from 337 items in the same category three years ago (three years is the reporting cycle). Facilities Management is the responsible department for this information. https://drive.google.com/file/d/1tYfamL8p5QS0BBR0_AhErP5wNlsrUA6t/view?usp=drive_link (being updated as of the date of this document). The system does not include the status of addressing the issues nor does it reference an ADA Transition Plan required upon the enactment of ADA (1990).

WHEREAS: ADA Title II Section 35.130 states:

(a) No qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.
<https://www.ada.gov/law-and-regs/regulations/title-ii-2010-regulations/#title-ii-regulations-revised-final-title-ii-regulation-with-integrated-text#section32#section32>

This would indicate that if services cannot be moved or accommodations be provided in an alternate accessible location, changes to existing structures may need to be undertaken, even if

such changes bring the structure out of “safe harbor” protections (1991) and under the current ADA Standards for Accessible Design (2010) and/or HUD Fair Housing Act ANSI standards (2008) and/or California Building Code (most recent cycle) as interpreted through a Certified Access Specialist (CAsp) and advised by CSU General Counsel, and applied respective to type and use of a structure or facility.

WHEREAS: The recent experiences of some campus community members have demonstrated barriers across campus relative to working, instruction and study areas as well as navigating campus. these concerns have been collated into an issues list with over 30 issues available at: <https://docs.google.com/document/d/1YSYmNocr3rAGA5vjWLdEbLJZMvgARp3AEZhidXTNfaY/edit#heading=h.ucey5a8hy8sb>. This list is not based on an audit of campus or a full survey of Cal Poly Humboldt students, employees, and other affiliates. A few of the issues that have been investigated, verified, documented, and can be addressed relatively quickly:

1. The Communications Department is on the second floor of the Telonicher building which is only accessible through one of two sets of stairs.
2. There is an accessibility map available on the university website which includes some accessible features but does not include the location of accessible bathrooms. In some areas, the pathways defined as accessible exceed the ADA regulations for slope <<https://www.ada.gov/law-and-regs/design-standards/2010-stds/#section83>>.
3. The Campus Disability Resource Center (CDRC) shuttle, now managed through Transportation and Parking Services, has taken over a month for folks to be approved for its use requiring individuals with mobility to navigate areas of campus that put them in danger of injury. We understand that our Interim Director of the CDRC is working on this.
4. When emergencies like fires and earthquakes occur, the elevators that individuals use mobility devices (e.g. wheelchairs) are turned off for safety reasons. There are instructions posted in multi-story buildings for individuals to use the stairs in an emergency but not for individuals with disabilities. In the spring of 2023, a promise was made to post evacuation instructions for individuals using mobility devices by the start of the fall 2023 semester. By the start of the spring 2024 semester, these instructions were not found in the buildings checked (Natural Resources, and Behavioral and Social Sciences).
5. The Natural Resources 101 lecture hall does not have access for someone using a mobility device. Given the room has 99 stations for students, the ADA rule would indicate it should have accessibility for 4 wheelchairs (2022 CBC, Table 11B-221.2.1.1, <https://tinyurl.com/ycxdpwcc>).

WHEREAS: The Disability Access and Compliance Committee (DACC), now the Committee on Accessibility and Accommodation Compliance (CAAC), is currently being reconstituted. There is a commitment to include shared governance and make progress towards addressing issues in a collaborative manner with all involved organizational units and individuals.

WHEREAS: With the hiring of a new ADA Coordinator, there is now a form on the CDRC website to submit issues. Which creates an opportunity to track progress across responsible units in a transparent manner.

WHEREAS: The existing issues effectively limit equitable access for students, employees, and visitors using mobility devices, like wheelchairs. The lack of students and employees with observable mobility disabilities on campus shows that we have an opportunity to improve access and thus make our campus accessible to those that may have come here in the past or would pass us over in the future.

WHEREAS: Cal Poly Humboldt has reorganized its approach to ADA by combining all functions, including student 504, employee ADA, and accessibility under one office CDRC. With additional funding and staff this new organization will be able to accomplish its expanded scope for students, employees, and those attending university sponsored events/functions.

WHEREAS: Cal Poly Humboldt has established one-time funding of \$400,000 to support ADA improvement projects.

RESOLVED: Below is a list of issues that have been reported by individuals with mobility issues over a year ago. These are issues that we hope can be addressed before the fall of 2024.

1. One example would be the Communications Department which is on the second floor of the Telonicher Building without an elevator or ramp (in the purview of USFAC).
2. Update the PDF versions of accessible maps to indicate where pathways are within ADA limit and provide an indication of where the slope exceeds acceptable standards (FM creates the map and MarComm posts them on the web).
3. Provide an online map that includes all the elements required by individuals using mobility devices including the pathways and the location of accessible bathrooms. (FM creates the map and MarComm posts them on the web).
4. General evacuation instructions for people with disabilities are available in all multi-story buildings that house activities and programs (in the purview of Risk Management).
5. This issue has been resolved since this document was started. CDRC and Transportation have reduced the time for individuals with mobility issues to be approved for using the on campus shuttle to 2 days. On demand service is provided within 24 hours and less if the shuttle is available (in the purview of CDRC). Additional drivers are being hired to expand services.

RESOLVED: That a list of issues that have been reported is made available to the campus community and includes the date the issue was raised, the status of a resolution, and the date the issue was resolved. The names of reporters will be kept confidential while those who report concerns shall be notified when the issue is resolved (purview of the ADA Coordinator). The list will be prioritized by the CAAC.

RESOLVED: That the University prioritize and allocate resources to maintain facilities and provide access to activities and programs for individuals with accessibility needs in the long run (purview of the VP of Admin Affairs). The university has set aside \$400,000 for ADA improvements.

RESOLVED: That the Facility Condition Audit (FCA) of facilities for accessibility be conducted every three years, aligned to CSU standard, and the results made accessible to the university community in a format that can be easily understood (purview of Risk Management and Facilities Management). In addition, annual checks will be made to ensure key elements of accessibility are operating as expected (walking paths, door pressures, obstructions in front of doors, etc.)

RESOLVED: That the CDRC is adequately staffed, meaning staffed to the level sufficient to meet service needs and compliance obligations within reasonable time frames, to support timely services to students and employees for accommodation as well as to manage campus accessibility concerns toward successful resolution (purview of the URPC and Fiscal Affairs).

RESOLVED: That a high level **ADA Transition Plan** be created in a staged manner. A first draft for the first phase of the plan to be reviewed by the CAAC and then made available to the senate for review in the fall of 2024. Then the plan to be made available to the campus community in the spring of 2025. The plan will contain a prioritized project list including ensuring; safe paths of travel (including door pressures and lighting), accessible parking, bathrooms, water fountains, and entrances into and out of buildings that meet ADA 2010 standards before the fall 2024 semester begins. The plan will include general plans based on Universal Design for making progress and funding while details will be worked out by appropriate organizational units.

RESOLVED: That this resolution be distributed to:

President Tom Jackson
President's Administrative Team
Sherie Gordon, VP of Administrative Affairs
Associated Students Executive Director Kendra Higgins
Staff Council
General Faculty