

ADMINISTRATIVE MEMORANDUM

SUBJECT Removal of Barriers to the Handicapped --
Comprehensive Plan and Allocation of Appropriations

NUMBER 315

DATE January 16, 1992

The 1991 Session of the General Assembly appropriated \$2,000,000 for the elimination of architectural barriers that make University programs or activities inaccessible to or unusable by mobility-impaired persons. Accompanying legislation prescribes certain elements that must be included in a University-wide, comprehensive plan:

- (1) A survey of facilities at each constituent institution, to determine which facilities must be modified to insure that institutional programs or activities, when viewed in their entirety, are readily accessible to handicapped persons. The institutional surveys shall be conducted in accordance with definitions and standards adopted by the U.S. Department of Education, under the requirements of section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and shall incorporate any findings made by the Office for Civil Rights of the U.S. Department of Education pursuant to either complaint investigations or technical assistance surveys conducted at constituent institutions of the University. In conducting the survey, each institution shall establish and enlist the assistance of an advisory committee, which shall include handicapped members of the institutional community or their representatives.
- (2) A description of the nature and estimated cost of each facility modification identified in the institutional surveys.
- (3) A schedule for addressing adjustments and modifications designed to insure accessibility, based on the following priorities:
 - a. Nonstructural adjustments. If a program or activity of a constituent institution can be made readily accessible to handicapped persons without structural adjustments, as through reassignment of classes or other services to accessible facilities or making aides available to handicapped persons, such modifications shall be made within 60 days of the date of their identification by the institutional surveys, without regard to the schedule for facility modifications.
 - b. Facility modifications, which can be accomplished within one year after their starting date.
 - c. Facility modifications which cannot be accomplished within one year but can be accomplished within three years after their starting date.
 - d. Other facility modifications.
- (4) A system for insuring that future facilities are accessible.

As noted in number (1) above, the law prescribes that campus surveys to identify such barriers are to be conducted in accordance with definitions and standards of the U.S. Department of Education and are to incorporate any findings of noncompliance made by the Department through on-site review. Such on-site compliance reviews have been completed at fifteen of the constituent institutions (excluding the School of the Arts). The reviews at thirteen locations have resulted in formal findings of deficiencies that require remedial action; reports concerning the remaining two campuses are expected in the near future. In several instances the Department review relied on a sampling approach and therefore did not include all facilities at the campus. Thus, to complete the required comprehensive survey at those locations, the campus independently must now use the knowledge and experience gained from the Department's on-site visit to evaluate all remaining campus facilities and identify deficiencies that require attention.

Based upon the findings of the U. S. Department of Education's Office for Civil Rights, related surveys prepared by the constituent institutions, and the recommendation of the President, the Board of Governors at its January 10, 1992, meeting adopted a comprehensive plan for the use of the capital improvements appropriation designated by the 1991 General Assembly for "the elimination of man-made barriers that make the programs or activities of the University inaccessible to or unusable by handicapped persons." The approved Plan provides:

1. Line 5 of the 1991-92 Schedule of Priorities - Capital Improvements, Architectural Barrier Removal Projects, \$2,000,000 - is allocated as follows:

Appalachian State University	\$ 175,000
East Carolina University	200,000
Elizabeth City State University	50,000
Fayetteville State University	50,000
North Carolina A & T State University	100,000
North Carolina Central University	100,000
North Carolina School of the Arts	25,000
North Carolina State University	300,000
Pembroke State University	50,000
UNC-Asheville	50,000
UNC-Chapel Hill	300,000
UNC-Charlotte	175,000
UNC-Greensboro	175,000
UNC-Wilmington	100,000
Western Carolina University	100,000
Winston-Salem State University	<u>50,000</u>
Total	<u>\$2,000,000</u>

2. The constituent institutions are authorized, with the approval of the President, to proceed with appropriate high priority projects that are specifically identified in the reports of the Office for Civil Rights.
3. As applicable, the constituent institutions are directed to complete the remaining surveys, to secure reports from the Office for Civil Rights and to consult with appropriate handicapped members of the institutional community in the completion of schedules for addressing adjustments and modifications designed to insure accessibility. The schedules shall be provided to the President by the Chancellors no later than March 2, 1992. All barrier removal projects funded from the \$2,000,000 appropriation shall be in accordance with schedules as approved by the President.

Consistent with the foregoing Plan, each constituent institution should proceed immediately to (1) seek presidential approval for initiating action on high priority projects that have been identified to date in the Office for Civil Rights report for the campus and (2) complete its survey of campus facilities, in those instances in which the Office for Civil Rights report does not cover all campus facilities.

The following information should be included in the completed campus surveys and schedules to be provided to the President by March 2 (a suggested reporting format is enclosed):

- (1) **Building/Project Identification** - Provide a specific identification of the architectural barriers. The level of detail comparable to that included in OCR survey reports is suggested.
- (2) **Proposed Modifications** - Provide a specific description of the corrective action to be taken. The level of detail comparable to that included in OCR survey reports is suggested.
- (3) **Priority** - Provide the priority for corrective action in accordance with the legislative requirements, as follows:

Priority

Priority Description

- | | |
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| A. | Nonstructural adjustments. If a program or activity of a constituent institution can be made readily accessible to handicapped persons without structural adjustments, as through reassignment of classes or other services to accessible facilities or making aides available to handicapped persons, such modifications shall be made within 60 days of the date of their identification by the institutional surveys, without regard to the schedule for facility modifications. |
| B. | Facility modifications, which can be accomplished within one year after their starting date. |
| C. | Facility modifications which cannot be accomplished within one year but can be accomplished within three years after their starting date. |
| D. | Other facility modifications. |
- (4) **Fund Source** - Provide a fund source, indicating whether by State appropriation or Self-Liquidating sources. For Self-Liquidating, indicate the specific receipts source, e.g. dormitory revenues, student union fees, dining revenues, etc.
 - (5) **Estimated Cost** - Provide a cost estimate of each facility modification.
 - (6) **1991-92 Proposed Projects** - Identify the specific projects proposed for funding from the institutional allocation for 1991-92, prepare the appropriate Form OC-25's, and secure approvals from the Office of State Construction. Self-liquidating projects should not be proposed for funding from the 1991-92 allocation.

A campus system for insuring that future facilities are accessible to the handicapped should be described in a separate statement.

Any detailed questions regarding the requirements outlined in this Memorandum should be referred to Mrs. Ellen H. Kepley. Four copies of the completed reports, approved OC-25's for 1991-92 proposed projects, and the statement of plans for insuring that future facilities are handicapped accessible should be submitted to this office no later than March 2, 1992.

Specific instructions regarding the preparation of the 1993-95 request for barrier removal projects will be issued after the completed survey schedules have been reviewed by this office.



C. D. Spangler, Jr.

Enclosure

<u>(Institution)</u> Comprehensive Institutional Survey Schedule -- Removal of Barriers to the Handicapped					
<u>(1)</u> <u>Building/Project Identification</u>	<u>(2)</u> <u>Proposed Modifications</u>	<u>(3)</u> <u>Priority</u>	<u>(4)</u> <u>Fund Source</u>	<u>(5)</u> <u>Estimated Cost</u>	<u>(6)</u> 1991-92 <u>Proposed Projects</u>