



U.S. Department of Justice

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October 14, 2014

**VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED
AND ELECTRONIC MAIL**

Pamela Tepper
Assistant Attorney General
Department of Justice
34-38 Kronsprindens Gade
GERS Complex, 2nd Floor
St. Thomas, VI 00802
PTepper@doj.vi.gov

Re: Investigation of the Virgin Islands Board of Elections Regarding Polling Place Accessibility, DJ No. 204-90-11, USAO 2012V00032

Dear Attorney Tepper:

We write concerning the Department of Justice's investigation of the Elections Systems of the Virgin Islands ("Virgin Islands") voting program under Title II of the Americans with Disabilities Act of 1990, as amended, 42 U.S.C. §§ 12131-12134 (ADA), and the Department of Justice's implementing regulation, 28 C.F.R. Part 35. Title II prohibits discrimination against qualified individuals with disabilities by public entities, such as the Virgin Islands. The investigation focused on the physical accessibility of polling places for persons with mobility disabilities and persons with vision disabilities. The Department conducted its investigation by meeting with Virgin Islands Board of Elections ("BOE") officials, reviewing information provided by the BOE, and surveying 31 polling places used by the Virgin Islands and reviewing remedial measures at 29 polling places during the November 6, 2012 general election. We appreciate the cooperation we received from you and the BOE staff while conducting our investigation and the BOE's commitment to accessibility.

The Department finds that the Virgin Islands is in violation of Title II by denying voters with disabilities an equal opportunity to participate in the Virgin Islands' voting programs, services, and activities, including by failing to select facilities to be used as polling places that are accessible to persons with disabilities on Election Day. Set forth below are the Department's

findings of fact and conclusions of law, as well as the minimum steps the Virgin Islands must take to meet its legal obligations and remedy the violations the Department has identified.

I. Background and Findings of Fact

This matter began after the United States Attorney's Office received complaints of an inaccessible polling place in St. Thomas. In September 2012, a representative of the United States Department of Justice (the "Department"), accompanied by the Virgin Islands Supervisor of Elections, conducted site surveys of the polling places in St. Croix, St. John and St. Thomas to determine their accessibility to voters with disabilities. A list of violations at each polling place surveyed and the Department's proposed remedies were then forwarded to your office. In a letter dated October 15, 2012, you indicated that the Virgin Islands would implement all of the Department's suggested remedies.

On November 6, 2012—the date of the Virgin Islands general election—representatives from this office conducted reviews of 29 polling places in St. Thomas and St. Croix. While some of the violations previously identified by the Department were corrected, many were not. Based on our site visits and review of other information, the Department finds that there are a number of polling place locations selected by the Virgin Islands and used for the general election that were not physically accessible to persons with disabilities. However, all of these polling place locations can be made temporarily accessible on Election Day.

In conducting our surveys, we relied on the Department's ADA Checklist for Polling Places;¹ the 1991 ADA Standards for Accessible Design (1991 ADA Standards), 28 C.F.R. Part 36, App. D; and the 2010 ADA Standards for Accessible Design (2010 Standards), 28 C.F.R. § 35.104.² In assessing ADA compliance in this matter, we used the 1991 Standards and the 2010 Standards, as appropriate. In order to remedy the non-compliant elements, however, the Virgin Islands must use the 2010 Standards as a guide.

In conducting our surveys, we did not review every architectural element at a polling place. We surveyed only those elements necessary to conduct the Virgin Islands' voting program. We looked at off-street parking, if provided; the route from the parking or the street to the building entrance; the building entrance; the route to the voting area; and the voting area. We did not survey each facility to determine if it as a whole is compliant with either Title II or Title III of the ADA; we only assessed whether each facility is accessible on Election Day.

Of the 29 polling places we surveyed, we found that only one, the Ulla Muller School on St. Thomas, was accessible on Election Day. Of the remaining 28 polling places, we found that all have non-compliant elements that could be remedied with temporary measures such that the polling place would be accessible on Election Day. Attachment A lists these non-compliant but

¹ This publication may be found on-line at www.ada.gov.

² Section 35.104 defines the 2010 ADA Standards as the requirements set forth in appendices B and D to 36 C.F.R. Part 1191 and the requirements contained in 28 C.F.R. § 35.151.

temporarily remediable facilities, along with a description of the non-complying elements and the temporary measures that will remedy each non-compliant element.

II. Conclusions of Law and Recommended Remedial Measures

Under Title II of the ADA, individuals with disabilities may not 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 a public entity, on the basis of disability. 42 U.S.C. § 12132, 28 C.F.R. § 35.130(a). The Title II regulation, set out at 28 C.F.R. Part 35, reflects and implements the statute's broad nondiscrimination mandate. 42 U.S.C. § 12134 (directing the Attorney General to promulgate regulations). Under Title II and its implementing regulation, a public entity, in providing any aid, benefit, or service, may not afford qualified individuals with a disability an opportunity to participate in or benefit from the aid, benefit, or service that is not equal to that afforded to others, nor can the entity otherwise limit such individuals in the enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving the aid, benefit, or service. *See* 28 C.F.R. § 35.130(b)(1).

A public entity's obligations with respect to selection of sites or facilities in which to provide programs, services, or activities is explicitly addressed in the Title II regulation at 28 C.F.R. § 35.130(b)(4), and provides, in part:

A public entity may not, in determining the site or location of a facility, make selections—

- (i) That have the effect of excluding individuals with disabilities from, denying them the benefits of, or otherwise subjecting them to discrimination.

Id. The Title II regulation also requires the Virgin Islands to administer its services, programs, and activities in the most integrated setting appropriate to the needs of persons with disabilities. *Id.* § 35.130(d). “[T]he most integrated setting appropriate” is “a setting that enables individuals with disabilities to interact with non-disabled persons to the fullest extent possible.” 28 C.F.R. pt. 35, app. B (analysis of § 35.130).

Applying the above, the Virgin Islands must ensure that qualified individuals with disabilities can fully participate in and benefit from the Virgin Islands' voting programs, services, and activities. With respect to polling place selection, Title II's site selection regulation prohibits the Virgin Islands from selecting sites for Election Day voting that have the effect of excluding individuals with disabilities from, denying them the benefits of, or otherwise subjecting them to discrimination. Thus, in order to afford individuals with disabilities the opportunity to vote alongside their neighbors at their local precinct with the same ease and convenience offered to nondisabled voters, the Virgin Islands must select polling places that are or can be made accessible to voters with disabilities. Voting is a fundamental right and the hallmark of our democracy, and voters with disabilities should have an equal opportunity to cast a ballot in person on Election Day alongside their friends and neighbors.

In the rare circumstances that the BOE is unable to select an accessible facility (or one that can be made temporarily accessible) to be used as a polling place in a particular voting precinct, then the Program Accessibility provisions of the Title II regulation would apply to the County's voting program. *See* 28 C.F.R. Part 35, Subpart D. These provisions prohibit a public entity from excluding or discriminating against individuals with disabilities because a facility is inaccessible. *Id.* § 35.149. In such instances, public entities must operate each program, service, or activity so that, when viewed in its entirety, it is readily accessible to and usable by persons with disabilities, unless doing so would result in a fundamental alteration in the nature of the service, program or activity or in undue financial and administrative burdens. *Id.* at § 35.150(a). When choosing among available methods for meeting program accessibility requirements, a public entity must give priority to those methods that offer services, programs, and activities to individuals with disabilities in the most integrated setting appropriate. *Id.* at § 35.150(b)(1).

Given the architectural barriers at the Virgin Islands' polling places, as summarized above and listed in Attachment A, the Department finds that the Virgin Islands has violated Title II by failing to select facilities to be used as polling places that are accessible (including making them accessible through temporary measures) to persons with disabilities on Election Day. The Virgin Islands has provided no information to indicate that inaccessible sites were selected only after determining that there were no accessible facilities that could serve as polling places in the voting precincts at issue, and therefore Title II's Program Accessibility provisions are inapplicable. We thus conclude that the Virgin Islands' use of inaccessible facilities as polling places has the effect of discriminating against voters with disabilities and denying them the opportunity to participate in the Virgin Islands' voting programs, services, and activities in the most integrated setting appropriate, i.e., at their designated polling place and alongside their fellow citizens.

To remedy the deficiencies discussed above and protect the civil rights of individuals with disabilities who seek to participate in the Virgin Islands' voting programs, services, and activities, the Virgin Islands must, at a minimum, implement the remedial measures identified by the Department as necessary to bring the Virgin Islands' polling places into compliance with Title II. As summarized above, Attachment A to this letter specifies the accessibility barriers found at each polling place surveyed as well as the temporary measures the Virgin Islands can take to make the polling place accessible on Election Day. In addition, the Virgin Islands must assess any newly selected polling places not surveyed by the Department and determine whether temporary measures or relocation to alternative accessible sites are necessary to bring all of the Virgin Islands' polling places into compliance with Title II.

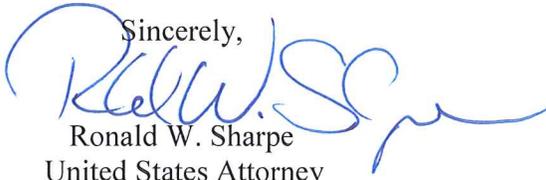
III. Conclusion

We hope to work with you and other officials in an amicable and cooperative fashion to resolve our outstanding concerns with respect to the Virgin Islands' voting programs, services, and activities. Please contact Noah Sacks, at 340-774-5757 by October 28, 2014, if you are

willing to resolve this matter voluntarily in a manner that will bring the Virgin Islands into full compliance with Title II, or if you have any questions regarding this letter.³

We are obligated to advise you that, in the event that we are unable to reach a resolution regarding our concerns, the Attorney General may initiate a lawsuit pursuant to the ADA once we have determined that we cannot secure compliance voluntarily to correct the deficiencies identified in this letter. *See* 42 U.S.C. § 12133-34; 42 U.S.C. § 2000d-1. We would prefer, however, to resolve this matter by working cooperatively with you.

Sincerely,



Ronald W. Sharpe
United States Attorney

³ Please note that this Letter of Findings is a public document and will be posted on the Department's website.

ATTACHMENT A

Ivanna Eudora Kean High School, St. Thomas

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area near the gym).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van accessible parking space).

Bertha C. Boschulte Middle School, St. Thomas

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van accessible parking space).

Oswald Harris Community Center, St. Thomas

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van accessible parking space).

Charlotte Amalie High School – Cafeteria, St. Thomas

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van accessible parking space).

Voting Entrance: the double leaf cafeteria entry doors lack door handle hardware usable with one hand without tight grasping, pinching or twisting of the wrist. (1991 ADA Stds 4.13.9; 2010 ADA Stds 309.4). (Remedy: Prop door open or provide a temporary doorbell to provide access).

Charlotte Amalie High School – Gym, St. Thomas

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Sidewalk / Walkway: the double leaf grate doors on the designated accessible route lack door handle hardware that is usable with one hand without tight grasping, pinching or twisting of the wrist. (1991 ADA Stds 4.13.9; 2010 ADA Stds 309.4). (Remedy: Prop door open or provide a temporary doorbell to provide access).

Hallway: the running slope of the accessible route is greater than 5% and does not comply with ramp standards including the lower level landing and handrails. (1991 ADA Stds 4.3.7; 2010 ADA Stds 403.3), (1991 ADA Stds 4.8.4; 2010 ADA Stds 405.7) and (1991 ADA Stds 4.8.5; 2010 ADA Stds 405.8, 505.2). (Remedy: Place a 10 ft. temporary ramp with a slope below 5% at the alternate interior route to the gym).

Voting Entrance: neither side of the interior double leaf gym entry doors provide at least a 32 inches clear passage width when the door is open 90 degrees. (1991 ADA Stds 4.13.4, 4.13.5, 4.13.6; 2010 ADA Stds 404.2.2, 404.2.3, 404.2.4). (Remedy: Prop open both doors).

Voting Entrance: the area in front of the voting entrance doors does not have a level landing (1991 ADA Stds 4.5.2, 4.13.6; 2010 ADA Stds 305.2, 404.2.4.4). (Remedy: Prop open both doors).

Winston Raymo Recreation Center, St. Thomas

Sidewalk / Walkway: curb ramp to access sidewalk is not provided. (1991 ADA Stds 4.7; 2010 ADA Stds 402.2, 406.1). (Remedy: Provide a temporary ramp at the curb, with traffic cones delineating its lower street-side landing).

Leonard Dober School – North (Left), St. Thomas

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Leonard Dober School – South (Right), St. Thomas

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Addelita Cancryn School, St. Thomas

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy:

Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area near the voting room).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van accessible parking space).

Gladys A. Abraham School, St. Thomas

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van accessible parking space).

Ulla Muller School, St. Thomas

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Sidewalk / Walkway: the grate openings at the site entry are greater than ½ inch wide. (1991 ADA Stds 4.5.4; 2010 ADA Stds 302.3). (Remedy: Place a mat or plate at least 32" wide over the grate to allow passage).

Voting Entrance: neither side of the interior double leaf cafeteria entry doors provide at least a 32 inches clear passage width when the door is open 90 degrees. (1991 ADA Stds 4.13.4, 4.13.5, 4.13.6; 2010 ADA Stds 404.2.2, 404.2.3, 404.2.4). (Remedy: Prop open both doors).

Joseph Sibilly School, St. Thomas

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area, adjacent to passageway to exterior library access).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Sidewalk / Walkway: a high threshold at the exterior library door prevents access to the library space used for voting (1991 ADA Stds 4.13.8; 2010 ADA Stds 404.2.5).

(Remedy: Provide a temporary ramp, with a top landing to maneuver at the door, at least 60 inches long and 42 inches wide).

Voting Entrance: neither side of the double leaf exterior library entry doors provide at least a 32 inches clear passage width when the doors open 90 degrees. (1991 ADA Stds 4.13.4, 4.13.5, 4.13.6; 2010 ADA Stds 404.2.2, 404.2.3, 404.2.4). (Remedy: Fully prop open both doors (necessary, too, when ramp is in place)).

Joseph Gomez School, St. Thomas

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Curriculum Center, St. Thomas

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Julius E. Sprauve School, St. John

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Parking: the surface slope in the designated accessible parking space is not level in all directions and exceeds the maximum slope allowed of 2%. (1991 ADA Stds 4.6.3; 2010 ADA Stds 502.4). (Remedy: Using traffic cones, provide a van-accessible parking space with an access aisle at least 96 inches wide in a level area).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Sidewalk / Walkway: vehicles parked in the ramped walkway from the entry gate, block the accessible route contrary to requirement to maintain accessible features. (28 C.F.R. § 35.133). (Remedy: Keep entry walkway clear so it may continue to be used as an accessible route).

Voting Area: the voting area double doors [one with a knob] lack door handle hardware usable with one hand without tight grasping, pinching or twisting of the wrist. (1991 ADA Stds 4.13.9; 2010 ADA Stds 309.4). **(Remedy: Prop at least one door open).**

Guy H. Benjamin Elementary School, St. John

Entry Gate: the entry gate double doors lack door handle hardware usable with one hand without tight grasping, pinching or twisting of the wrist. (1991 ADA Stds 4.13.9; 2010 ADA Stds 309.4). **(Remedy: Prop a door open, that would access the flat ramp, noted below).**

Entry Gate Threshold / Walkway: the entry gate threshold has an abrupt level change on the inside over 1/2 inch, as well as significant slopes ramping more than 1:12 on both sides of the water channel on the walkway to the voting area. (1991 ADA Stds 4.3.8; 2010 ADA Stds 303 and 403.4) and (1991 ADA Stds 4.8.2; 2010 ADA Stds 405.2). **(Remedy: Provide a flat 8 ft ramp from the threshold over the water channel).**

Voting Area: the voting area entrance has an abrupt level change on the exterior that exceeds 1/2 inch. (1991 ADA Stds 4.3.8; 2010 ADA Stds 303 and 403.4). **(Remedy: Provide a 3 1/2 ft ramp to the voting area entrance, with the doors fully propped open).**

Evelyn M. Williams Elementary School, St. Croix

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). **(Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).**

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). **(Remedy: Provide a temporary sign for a van at the accessible parking space).**

Alexander Henderson Elementary School, St. Croix

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). **(Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).**

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). **(Remedy: Provide a temporary sign for a van at the accessible parking space).**

Educational Complex, St. Croix

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). **(Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).**

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Alfredo Andrews Elementary School, St. Croix

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Elections Board/Election System of the Virgin Islands (Office), St. Croix

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area. Please note that passage from the parking area to the sidewalk at a curb, is not free of abrupt level changes over 1/2 inch. (1991 ADA Stds 4.3.8; 2010 ADA Stds 303 and 403.4). (Remedy: Provide a 6 ft ramp from the roadway to the sidewalk with a lower level landing delineated with traffic cones)).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Ricardo Richards Elementary School, St. Croix

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Sidewalk / Walkway: the cross slope in the designated accessible route on the exterior walkway is steeper than 2% (1991 ADA Stds 4.8.6; 2010 ADA Stds 502.4). (Remedy: Relocate the accessible route to the interior of the building. Please note that the drinking fountain on this route is a protruding object, more than 27 inches above the floor and protruding horizontally into the circulation path more than the 4 inches from the wall. (1991 ADA Stds 4.4; 2010 ADA Stds 307.2). (Remedy: Place a traffic cone or barrier below the water fountain). Additionally, the doors on this alternate route were locked and should be unlocked for the alternate accessible route to be utilized).

Elena Christian Junior High School, St. Croix

Parking: no accessible van space with an access aisle that is at least 96 inches wide on an accessible route is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area outside and to the right of the pedestrian gate. Please note that passage from the accessible proposed temporary parking space and access aisle to the sidewalk at a curb, is not free of abrupt level changes over 1/2 inch [as the blue painted curb ramp is inaccessible]. (1991 ADA Stds 4.3.8; 2010 ADA Stds 303 and 403.4). (Remedy: Provide a 6 ft ramp from the roadway to the sidewalk with a lower level landing delineated with traffic cones, adjacent to the accessible parking space and access aisle)).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Lew Muckle Elementary School, St. Croix

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area within the parking area, behind the currently “designated accessible” location, which has a running slope exceeding the 2% maximum).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Sidewalk / Walkway: passage from the parking area crosses a 3 ft water channel [1½ inches deep] and is thus not free of abrupt level changes over 1/2 inch. (1991 ADA Stds 4.3.8; 2010 ADA Stds 303 and 403.4). (Remedy: Provide a flat ramp over the water channel).

Sidewalk / Walkway: the running slope of the exterior accessible route between the entry arches and the voting area [to the right] is greater than 5% in areas and does not comply with ramp standards including the lower level landing and handrails. (1991 ADA Stds 4.3.7; 2010 ADA Stds 403.3), (1991 ADA Stds 4.8.4; 2010 ADA Stds 405.7) and (1991 ADA Stds 4.8.5; 2010 ADA Stds 405.8, 505.2). (Remedy: Place an 18 ft long temporary ramp over this route, with a slope below 5%).

Eulalie R. Rivera Elementary School, St. Croix

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area where the soil is compacted).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Sidewalk / Walkway: the grate openings are greater than ½ inch wide. (1991 ADA Stds 4.5.4; 2010 ADA Stds 302.3). (Remedy: Place a mat or plate at least 32” wide over the grate to allow passage).

Building Entrance: the wide threshold at the exterior entrance has a raised segment exceeding ½ inch. (1991 ADA Stds 4.13.8; 2010 ADA Stds 404.2.5). (Remedy: Provide a mat at least 32” wide to extend over the full threshold depth).

John F. Kennedy Housing Project, St. Croix

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Juanita Gardine Elementary School, St. Croix

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Hallway: the ramp slope in the hallway on the route to the voting area in the cafeteria is greater than 1:12 (1991 ADA Stds 4.8.2; 2010 ADA Stds 405.2). (Remedy: Relocate voting area to the front of the facility on the main level. Please note that the drinking fountain on this route is a protruding object, more than 27 inches above the floor and protruding horizontally into the circulation path more than the 4 inches from the wall. (1991 ADA Stds 4.4; 2010 ADA Stds 307.2). (Remedy: Place a traffic cone or barrier below the water fountain). Additionally, the upper level classroom door to the proposed voting area lacks door handle hardware usable with one hand without tight grasping, pinching or twisting of the wrist. (1991 ADA Stds 4.13.9; 2010 ADA Stds 309.4). (Remedy: Prop door open)).

Florence A. Williams Library, St. Croix

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Claude O. Markoe Elementary School, St. Croix

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Building Entrance: the threshold at the exterior entrance has a raised segment exceeding ½ inch. (1991 ADA Stds 4.13.8; 2010 ADA Stds 404.2.5). (Remedy: Provide a mat at least 32" wide to be placed over the threshold).

Pearl B. Larsen Elementary School, St. Croix

Parking: no accessible van space with an access aisle that is at least 96 inches wide is provided. (1991 ADA Stds 4.1.2(5)(b), 4.6.3, Fig. 9; 2010 ADA Stds 502). (Remedy: Using traffic cones, provide a van accessible parking space with an access aisle at least 96 inches wide in a level area).

Parking: signage for a van accessible parking space is not provided. (1991 ADA Stds 4.6.4; 2010 ADA Stds 502.6). (Remedy: Provide a temporary sign for a van at the accessible parking space).

Hallway: the drinking fountain is a protruding object, more than 27 inches above the floor and protruding horizontally into the circulation path more than the 4 inches from the wall. (1991 ADA Stds 4.4; 2010 ADA Stds 307.2). (Remedy: Place a traffic cone or barrier below the water fountain).