UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

August 14, 2026

President Wade Rousse
Via e-mail only to: president@lsu.edu

Re: Louisiana State University – Baton Rouge
OCR Case Numbers: 06-25-2029, 06-25-2031, 06-25-2032

Dear President Rousse:

This is to notify you of the disposition of the above-referenced complaints filed with the U.S. Department of Education (Department), Office for Civil Rights (OCR), against Louisiana State University – Baton Rouge (the University or LSU), in Baton Rouge, Louisiana. In OCR Case No. 06-25-2029, the complainant alleged the University discriminates against individuals with disabilities because it fails to provide an adequate number of accessible seats at the Tiger Stadium (Stadium). In OCR Case Nos. 06-25-2031 and 06-25-2032, the complainants alleged the University discriminates against individuals with disabilities because it fails to provide handrails in the aisles of some seating areas of the Stadium. In OCR Case No. 06-25-2032, the complainant alleged the University fails to provide an adequate amount of accessible parking at the Stadium.

OCR enforces Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability by recipients of federal financial assistance. OCR also enforces Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. Sections 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by public entities. As a recipient of federal financial assistance from the Department and a public entity, the University must comply with Section 504, Title II and their implementing regulations.

Summary of OCR's Investigation to Date

OCR reviewed photographs, documents, data responses, and aerial images of the campus and Stadium, including the parking facilities and the routes connecting them to the Stadium, provided by the University. Based on this review and discussions with University representatives, OCR identified compliance concerns regarding the number of and location of accessible seats in the Stadium, the number of accessible parking spaces in the parking facilities that serve the Stadium, and the accessible routes serving the Stadium and within the Stadium. To resolve this complaint, prior to OCR completing its investigation or making a finding of a violation, the University entered into the attached Resolution Agreement (Agreement) which, when implemented, will address Section 504 and Title II compliance concerns. The applicable legal standards, factual findings, and rationale for resolution of this matter are summarized below.

Applicable Legal Standards

Both the Section 504 and Title II implementing regulations provide generally that no qualified individual with a disability shall, because an entity's facilities are inaccessible to or unusable by disabled individuals, be excluded from participation in, or denied the benefits of services, programs or activities, or otherwise be subject to discrimination by the entity. A stadium is a facility under these regulations, and includes seating, parking, and routes into and around the stadium. The accessibility of these elements is evaluated under the facility accessibility requirements of Section 504, Title II, and the applicable architectural standard.

The regulations implementing Section 504 and Title II contain two standards for determining whether a recipient's programs, activities, and services are accessible to individuals with disabilities. One standard applies to "existing facilities" and the other applies to "new construction" and "alterations." The date of construction or alteration of the facility determines which standard applies.

Existing facilities

Section 504 defines existing facilities as any facility or part of a facility for which the construction or alteration commenced before June 3, 1977. Existing facilities for the purposes of Title II are any facility or part of a facility for which construction commenced prior to January 26, 1992.

Accessibility of existing facilities is determined under the "program accessibility standard," which considers whether a recipient's program, service, or activity offered within an existing facility, when viewed programmatically and in its entirety, is accessible to and usable by individuals with disabilities. Recipients may comply with this standard by reassigning programs, services, and activities to accessible buildings, alteration of existing facilities, or any other methods that result in making each of its programs, services, and activities accessible. When selecting methods, recipients must prioritize integrated settings and independent, safe access.

The concepts of program access and facilities access are related because architectural modifications may be necessary to achieve program access. In reviewing program accessibility for an existing facility, the *Uniform Federal Accessibility Guidelines* (UFAS) or the 2010 Standards may be used as guidance under Section 504; the 2010 Standards may be used as a guide under Title II.

New construction and alterations

New construction and alterations must be readily accessible and usable by persons with disabilities. Alterations that affect usability must, to the maximum extent feasible, result in accessible altered portions. The specific accessibility standards that apply to new construction and alterations depend on when the work commenced, because federal regulations assign different architectural requirements to different time periods, as set forth below:

Under Section 504:

- Facilities constructed or altered from June 3, 1977, to January 18, 1991: American National Standards Institute (ANSI) Standard
- Facilities constructed or altered on or after January 18, 1991: Uniform Federal Accessibility Standards (UFAS)
- Recipients may choose UFAS or the 2010 Standards for construction or alterations commenced on or after March 15, 2012.

Under Title II:

- January 26, 1992 – September 14, 2010: UFAS or 1991 ADA Standards
- September 15, 2010 – March 14, 2012: UFAS, 1991 Standards, or 2010 Standards
- Effective March 15, 2012: 2010 Standards
- Pre-2012 non-compliant construction or alterations are subject to the 2010 Standards.

Findings of Fact and Analysis

Initial construction of the Stadium began in 1924, and the facility has undergone additional construction since. Most recently, the University added the south Stadium upper deck, which it completed in 2014 pursuant to the 2010 Standards.

OCR examined photos, documents, data, and aerial images of the campus and Stadium, as well as parking facilities and connecting routes provided by the University. Following data review and discussions with the University, OCR found compliance concerns regarding accessible seating, accessible parking spaces, and accessible routes both to and within the Stadium. Specifically, regarding the number of parking spaces at parking facilities that serve the Stadium, OCR identified concerns regarding whether each parking facility provided at least the minimum number of required accessible parking spaces, including van accessible spaces. In addition, relating to seating at the Stadium, OCR has concerns whether the Stadium has the minimum required number and locations of wheelchair spaces, companion seating, and designated aisle seats. Lastly, OCR is concerned about the accessibility of the routes serving the Stadium and within the Stadium for reasons including, but not limited to, a possible lack of required handrails. During the course of OCR's investigation, the University informed OCR that it was already planning to make renovations to the Stadium and stated its intent to comply with the 2010 Standards.

Conclusion

Section 302 of OCR's Case Processing Manual (CPM) (Feb. 19, 2025) provides that allegations under investigation may be resolved at any time when, prior to OCR issuing a final determination, the recipient expresses interest in resolving the allegations and OCR determines that it is appropriate to resolve them because OCR's investigation has identified issues that can be addressed through a resolution agreement. The provisions of the resolution agreement must be tied to the allegations and the evidence obtained during the investigation and will be consistent with applicable regulations. Prior to the conclusion of OCR's investigation, the University

expressed interest in resolving the complaint pursuant to CPM Section 302. OCR determined resolution is appropriate because OCR's investigation to date identified issues that can be addressed through a resolution agreement (Agreement).

The attached Agreement requires the University to conduct a self-assessment to assess whether the seating, parking and accessible routes to the Stadium and inside the Stadium are physically accessible in compliance with Section 504 and Title II and to remedy any identified areas of noncompliance. The University agreed to implement the Agreement, which will address the compliance concerns OCR identified in this case. OCR will monitor the implementation of the Agreement until it determines that the University has satisfied the commitments made under the Agreement.

This concludes OCR's investigation of the complaint and should not be interpreted to address the University's compliance with any other regulatory provision or to address any issues other than those addressed in this letter. This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public. The complainant may have a right to file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the University must not harass, coerce, intimidate, or discriminate against any individual because that individual has filed a complaint or participated in the complaint resolution process. If this happens, that individual may file another complaint alleging such treatment.

Under the Freedom of Information Act, 5 U.S.C. § 552, it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could reasonably be, expected to constitute an unwarranted invasion of personal privacy.

If you have any questions, please contact the attorney assigned to this complaint, Selim Fiagome, at (214) 661-9620, or by e-mail at Selim.Fiagome@ed.gov.

Sincerely,

/s/

Tiffany Gray
Acting Team Leader