

RESOLUTION AGREEMENT
Champion Local School District
OCR Docket # 15-14-1031

Champion Local School District (the District) submits this Resolution Agreement (the Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve the above-referenced complaint and to ensure the District'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 District agrees to take the actions listed below in order to provide individuals with disabilities, in particular those with mobility impairments, access to the District's programs at the District's Central Elementary School (the School). Modifications made pursuant to this agreement will be done in accordance with the applicable requirements of Section 504 and Title II.

As set forth below, the review and approval process is intended to ensure compliance with applicable requirements under Section 504 and Title II before any unnecessary expenditure of funds by the District. The District does not waive any rights it may have, including but not limited to, any right to object to, negotiate with, mediate, arbitrate or appeal any determination made by OCR.

Action Steps

I. Program Accessibility at the School

A. By **November 30, 2014**, the District will complete the following actions already underway:

1. Construction of a ramp for building access running from the School's north driveway to the School's main entrance doors.
- 2 . Installation of an automatic door at the School's main entrance.
- 3 . Installation of a wheelchair lift at the School's main entrance to provide access up one floor level to the first-grade classroom level and main office and down one level to the cafeteria and kindergarten classrooms.

REPORTING REQUIREMENT: By **November 30, 2014**, the District will submit documentation to OCR, including but not limited to photographs, work orders, purchase orders, and project plans verifying implementation of Action Step I.A.

B. By **November 30, 2014**, the District will complete a self-evaluation of Section 504 and Title II program accessibility at the School. Through the self-evaluation, the District will, at a minimum:

- a. Identify all of the District's programs, activities, and services being operated in the buildings housing the School. These include, but are not limited to, operations of the preschool program, the K-4 school programs, volunteer programs and services, community programs and services, parent programs and services, employee programs and services, the playground, and programs and services provided by the District's administrative offices.
 - b. Review all of the policies and practices that govern the administration of the programs, activities, and services at the school.
 - c. Determine what physical barriers to access exist.
 - d. Identify steps that need to be taken to enable these programs to be made accessible when viewed in their entirety. This will include structural changes as necessary to provide sufficient numbers of reasonably convenient support facilities, including restrooms, telephones, water fountains, and parking spaces, appropriate to the use of the facility.
- C. By **March 31, 2015**, the District will use the results of its self-evaluation from Action Step I.B above to develop and submit to OCR for review and approval a transition plan setting forth the steps necessary to complete the changes identified. This review and approval process is meant to ensure compliance with Section 504 and Title II before any unnecessary expenditure of funds by the District. The District will provide an opportunity to interested persons, including individuals with disabilities or organizations representing individuals with disabilities, to participate in the development of the transition plan by submitting comments. The transition plan will, at a minimum:
- a. Identify the physical obstacles in the School's facilities that limit the accessibility to individuals with disabilities of the programs and activities held there.
 - b. Describe in detail the methods the District will use to make the School's facilities, including the playground, accessible.
 - c. Specify the schedule for taking the steps necessary to provide program accessibility, to be completed by **August 30, 2017**.
 - d. Indicate the District official responsible for implementation of the plan.
- D. By **November 30, 2014**, the District will develop a detailed plan (the interim plan) for how it will make its programs and activities at the School, when viewed in their entirety, accessible to and useable by persons with disabilities within 30 calendar days after being notified of such a need while the District is developing and implementing the approved OCR transition plan pursuant to Action Step I.C above. The plan will include any temporary, interim measures that may have to be employed

to ensure ready access, as well as the anticipated duration of such measures. The District may comply with this provision by such means as reassignment of classes or other services, including public performances, to accessible locations, alteration of existing facilities, construction of new facilities, or other means that result in making the District's programs and activities accessible to students with disabilities. Alteration or construction of facilities, if necessary, will be done in such a manner as to comply with the 2010 ADA Standards.

REPORTING REQUIREMENT: By **November 30, 2014**, the District will submit to OCR for review and approval the proposed interim plan it has developed in accordance with Action Step I.D and the results of the self-evaluation completed in accordance with Action Step I.B. This review and approval process is meant to ensure compliance with Section 504 and Title II before any unnecessary expenditure of funds by the District.

By **February 28, 2015**, the District will submit to OCR for review and approval the proposed transition plan developed in accordance with Action Step I.C and documentation verifying its attempts to obtain input from interested persons, including any input received. This review and approval process is meant to ensure compliance with Section 504 and Title II before any unnecessary expenditure of funds by the District.

By **August 31, 2015, August 31, 2016, and August 31, 2017**, the District will submit documentation verifying its completion of the steps outlined in the transition plan.

- E. By **January 31, 2015**, the District will adopt and implement procedures to ensure that interested persons, including persons with mobility impairments, can obtain information as to the existence and location of services and activities that are accessible to and usable by persons with disabilities at the School and how to request relocation of programs, services and activities that are not accessible, including an appropriate District contact person.

REPORTING REQUIREMENT: By **January 31, 2015**, the District will submit a copy of the procedures it adopted pursuant to Action Step I.E of the Agreement, including description of the means used to provide notice to students, parents, and guardians of the District's procedures and copies of any notices issued.

II. Program Accessibility for the Student

The Student has enrolled at the District for the xxxxxxxx school year, the District will take the following measures to provide the Student with program access to the xxxxxxxx program at the School:

- A. Provide the Student with a xxxxxxxx xxxxxx xxxx xx xxxxxxx xxx xxxxxxxx
xxxxxxx xxxxxxxx xxxx xx xxxxxxxxxxx xxxxxx xxx xxxxxxx xxxxxxx

- B. Meet with the Student's parent(s), within 30 days of the Student's enrollment, to evaluate the effectiveness of the measures taken by the District in Action Steps I.A and II.A above, to render the xxxxxxxx program, when viewed in its entirety, accessible to the Student.

REPORTING REQUIREMENT: The District will, by **January 9, 2015**, submit for OCR's review and approval the Student's xxx for the xxxxxxxxx school year, the written evaluation and, if applicable, the proposed plan to address any remaining barriers to the Student's accessibility to the xxxxxxxxx program. This review and approval process is meant to ensure compliance with Section 504 and Title II before any unnecessary expenditure of funds by the District.

General Requirements

The District understands that OCR will not close the monitoring of this agreement until OCR determines that the District has fulfilled the terms of this agreement and is in compliance with Section 504 and its implementing regulation at 34 C.F.R. §§ 104.4(a), 104.21, and 104.22, and Title II and its implementing regulation at 28 C.F.R. § 35.130(a), 35.149, and 35.150, which were at issue in this case.

The District 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 District understands that during the monitoring of this agreement, if necessary, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this agreement and is in compliance with Section 504 and its implementing regulation at 34 C.F.R. §§ 104.4(a), 104.21 and 104.22, and Title II and its implementing regulation at 28 C.F.R. § 35.130(a), 35.149, and 35.150.

The District 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 District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

/s/

12/23/2014

Champion Local School District
Superintendent or Designee

Date