

RESOLUTION AGREEMENT
Greenwich Public Schools
OCR Complaint No. 01-21-1009

Greenwich Public Schools (District) has voluntarily entered into this agreement (Agreement) to resolve the allegation in the above-referenced complaint. The District assures that it will take the following actions.

The District agreed to resolve this complaint prior to the completion of OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*.

Action Item 1

The District will make modifications to policies, procedures, and structures to ensure that the District's services, programs, and activities located at the Old Greenwich School (School), when viewed in their entirety, are readily accessible to and usable by qualified individuals with disabilities, while the planning and renovation process described in Action Item 3 is ongoing. At a minimum, the District will:

- (A) Develop a policy to provide students with mobility impairments the opportunity to attend a similar program at an accessible location in the District (Designated School(s)), and to provide members of the public a procedure by which they may request that inaccessible programs at the School be relocated to an accessible space and/or facility, and
- (B) Review its compliance with the notice and signage requirements of 28 C.F.R. Section 35.163, and make any modifications necessary to ensure compliance.

Reporting Requirements:

- a. By **June 1, 2021**, the District will identify to OCR the Designated School(s) to which students with mobility impairments could be assigned, as well as documentation, such as building plans and/or schematics, to demonstrate that the Designated School(s) is accessible.
- b. By **June 1, 2021**, the District will provide, for OCR's review and approval, a draft policy (and/or amendments to current policies) to meet the requirements of Action Item 1(A).
- c. Within **30 days of OCR's approval of the policy required by Action Item 1(A)**, the District will disseminate this information through the School's website and other appropriate information channels, such as handbooks, etc.
- d. By **August 1, 2021**, the District will submit to OCR documentation showing completion of the modifications required by Action Item 1(B), including copies of invoices and photographs.

Action Item 2

The District will develop and/or make modifications to policies and procedures to allow interested persons to obtain information about the accessibility of all of the District’s programs, activities, and facilities, and to request accommodations to those programs, activities, and facilities as needed. Such policies and procedures will:

- (A) Describe the current level of accessibility for persons with disabilities in the District;
- (B) Ensure that interested persons, including persons with impaired vision or hearing, can obtain information as to the existence and location of the District’s accessible services, activities and facilities, as required by the Title II regulation at 28 C.F.R. Section 35.163(a);
- (C) Describe the District’s practice of relocating programs and activities, when necessary, to make programs and activities accessible to persons with disabilities; and
- (D) Provide a procedure by which individuals may request that programs, activities, and services provided in the District be relocated to accommodate persons with disabilities, as needed.

Reporting Requirements:

- a. By **August 1, 2021**, the District will provide, for OCR’s review and approval, draft policies and procedures (and/or amendments to current policies and procedures) to meet the requirements of Action Item 2.
- b. Within **30 days of OCR’s approval of these policies and procedures**, the District will disseminate this information through its website and other appropriate information channels, such as handbooks, etc.

Action Item 3

If the District accepts a proposal from the Feasibility Study Committee for a large-scale renovation of the School, the District will ensure that the final Schematic Design for the project is fully compliant with the 2010 Americans with Disabilities Act Standards (2010 ADA Standards). The District will also ensure that the newly-renovated School is in full compliance with the 2010 ADA Standards by the date that the School begins to serve students.

Reporting Requirements:

- a. Within **15 days of the District’s acceptance of the Feasibility Study Committee proposal**, the District will provide OCR a copy of the accepted proposal.

- b. Within **15 days of the completion of the Schematic Design**, the District will provide OCR a copy of the Schematic Design for OCR’s review and approval.¹
- c. Within **15 days of the District’s acceptance of the Schematic Design**, the District will provide OCR a schedule for completion of the construction process specifying the major remaining steps in that process and the anticipated timeline for completing those steps.²
- d. Within **15 days of the date that the newly-renovated School begins to serve students**, the District will inform OCR that the School is operational and provide its written assurance that the School is fully compliant with the 2010 ADA Standards.

In the event that unforeseen circumstances render it impracticable to complete the actions specified above before the dates provided, or if unforeseen circumstances make the proposed actions technically unfeasible, the District will notify OCR to request to re-negotiate the time frame or the proposed actions, as applicable.

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 the 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 and obligations of this Agreement. Upon the District’s satisfaction of the commitments made under the Agreement, OCR will close the case.

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

The Agreement will become effective immediately upon the signature of the District’s representative below.

By: _____ Date: April 9, 2021
Dr. Toni Jones, Superintendent

¹ If the District intends to deviate from the Schematic Design provided to OCR in a manner that may affect the accessibility of the School at any time prior to completion of construction, the District will, *at least 15 days prior to implementing the planned deviation*, provide OCR a copy of the revised Schematic Design, a written explanation of the planned deviation, and a written assurance that the revised Schematic Design provides for a renovated building that is fully compliant with the 2010 ADA Standards.

² If there are changes to the project’s schedule, the District will, *within 15 days of the change*, provide OCR with an updated schedule and a written explanation for the change in the anticipated timeline of the project.