

RESOLUTION AGREEMENT¹

Rome City School District OCR Case No. 02-17-1476

In order to resolve Case No. 02-17-1476, the Rome City School District (the District) assures the U.S. Department of Education, Office for Civil Rights (OCR), that it will take the actions detailed below pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (the ADA), 42 U.S.C. § 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35.

Action Item

By July 2, 2018, the District will make all necessary structural changes to the parking areas at the John E. Joy Elementary School (school 1) and Ridge Mills Elementary School (school 2); the designated accessible main entrances for school 1 and 2; and, the designated accessible main interior entrance for school 2 as outlined in the attached Appendix.

Reporting Requirement: By July 16, 2018, the District will provide documentation to OCR (e.g., photographs, measurements, summaries, etc.) confirming completion of changes, in accordance with the attached Appendix.

The District understands that by signing this Agreement, it agrees to provide the foregoing 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 regulations at §§ 104.21 and 104.23; and the ADA, at 28 C.F.R. §§ 35.149 and 35.151. Upon completion of the obligations under this Agreement, OCR shall close this case.

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 sixty (60) calendar days to cure the alleged breach.

¹ Beginning March 15, 2012, all new construction or alterations of existing facilities must conform to the 2010 Americans with Disabilities Act Standards for Accessible Design (the 2010 ADA Standards). Accordingly, all structural changes required by this agreement must conform to the 2010 ADA Standards.

This Agreement will become effective immediately upon the signature of the District's representative below.

3/16/2018 _____
Date

/s/ _____
Peter Blake
Superintendent
Rome City School District

APPENDIX

John E. Joy Elementary School (School 1)

Building Component	Exterior door to main entrance and intercom buzzer
Accessibility Issues	<ul style="list-style-type: none">• The exterior door to the main entrance does not have sufficient maneuvering clearance. The maneuvering space is 37". The exterior main entrance door is on the push side. [Minimum maneuvering clearance of 48" is required on the push-side of a front-approach manual swinging door entrance. 2010 ADA Standards 404.2.4.1]• The push button for the buzzer at the main entrance is too high. The push button at the main entrance is an unobstructed side reach and is 58" high. [High side reach for an unobstructed side reach shall be 48" maximum. 2010 ADA Standards 308.3.1]

Building Component	Location of Designated Accessible Parking Spaces and Designated Van Accessible Parking Spaces
Accessibility Issues	<ul style="list-style-type: none">• The designated accessible and van accessible parking spaces are not on the shortest accessible route from the parking area to the designated accessible entrance. [Parking spaces that serve a particular building or facility shall be located on the shortest accessible route from parking to entrance. 2010 ADA Standards 208.3.1]¹

¹ Alternatively, school 1 could make the north entrance, near the currently designated accessible parking spaces, available to visitors during school hours.

Ridge Mills Elementary School (School 2)

Building Component	Exterior door to main entrance and intercom buzzer
Accessibility Issues	<ul style="list-style-type: none"> • The exterior door to the main entrance does not have sufficient maneuvering clearance. The maneuvering space is 32". The exterior door to the main entrance is on the pull side. [Minimum maneuvering clearance of 60" is required on the pull-side of a front-approach manual swinging door entrance. 2010 ADA Standards 404.2.4.1] • The push button for the buzzer at the main entrance is too high. The push button at the main entrance is an unobstructed side reach and is 59" high. [High side reach for an unobstructed side reach shall be 48" maximum. 2010 ADA Standards 308.3.1] • The length of time the main entrance door remains unlocked after being granted access is too short. After being granted access to the building by the school secretary, doors remain unlocked for approximately 6.5 seconds. [The 2010 ADA Standards do not require a specific timeframe, but OCR determined that the timeframe did not permit sufficient time for an individual with a disability to activate the push button and open the door, such that the door remained demagnetized; therefore, OCR determined that the timing served to deny individuals with disabilities the ability to enter the school. The door should remain demagnetized for a reasonable amount of time (e.g., the door at school 1 remains demagnetized for at least 9 seconds once a visitor is granted access to the building)]

Building Component	Interior main entrance double-leaf door weight
Accessibility Issues	<ul style="list-style-type: none"> • The left interior main entrance double-leaf door required a force of 8 lbs. to open and the right interior main entrance double-leaf door required a force of 6 lbs. to open. [Interior hinged doors: 5 lbs. maximum force. 2010 ADA Standards 404.2.9]

Building Component	Designation and Location of Accessible Parking Spaces for South (Lot 1), East (Lot 2), and North (Lot 3) Parking Lots and Signage of Designated Van Accessible Parking Spaces
Accessibility Issues	<ul style="list-style-type: none"> • Lot 1: Closest to the main entrance and contains 19 parking spaces, none of which are designated as accessible. [Insufficient number of designated accessible parking spaces. For a parking facility with between 1-25 parking spaces, the facility must designate one parking space as accessible and it should be van accessible pursuant to 2010 ADA Standards 208.2.4 and 502.6. 2010 ADA Standards 208.2] • Lot 2: Closest to the east entrance and contains a total of 30 parking spaces, two of which the District asserted are intended to be van accessible; however, there was no signage indicating that the spaces were van accessible. [For a parking facility with between 26 and 50 parking spaces, the facility should have designated at least two parking spaces as accessible, at least one of which should be van accessible. The two accessible parking spaces are not on the shortest accessible route from the parking area to the east entrance, as required by 2010 ADA Standards 208.3.1. No signage designating “van-accessible” parking spaces pursuant to 2010 ADA Standards 208.2.4 and 502.6] • Lot 3: Near the east entrance and contains 31 parking spaces, three of which the District asserted are intended to be van accessible; however, there was no signage indicating that the spaces were van accessible. [For a parking facility with between 26 and 50 parking spaces, the facility should have designated at least 2 parking spaces as accessible and at least one should be van accessible. No signage designating “van-accessible” parking spaces 2010 ADA Standards 208.2.4 and 502.6]²

² Alternatively, since the main entrance is open during drop-off and pick-up times, and is the only entrance available for use by visitors and students during school hours, school 2 could place all accessible parking spaces in Lot 1, which is the closest parking lot to the main entrance. Together, Lots 1, 2 and 3 contain 80 parking spaces. For a parking facility with between 76-100 parking spaces (accounting for Lots 1, 2 and 3), the District would need to designate four parking spaces as accessible, at least one of which would need to be van accessible, pursuant to the 2010 ADA Standards, Section 208.2.