

Resolution Agreement  
Case No. 03151135  
Greater Nanticoke Area School District

In order to resolve Allegation 1 in the above-referenced complaint filed with the United States Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (the ADA) and their implementing regulations, the Greater Nanticoke Area School District (the District) enters into this Resolution Agreement and commits to implement the provisions set forth in this Agreement.

**Action Steps and Reporting Requirements**

1. The District warrants to OCR that it will ensure compliance with the Section 504 regulation at 34 C.F.R. Section 104.21 and the Title II regulation at 28 C.F.R. Section 35.149, providing that no qualified person with a disability shall, because a recipient's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity operated by the recipient.

By December 31, 2015, the District will provide OCR with its draft plan for providing accessible bathrooms for both sexes on both floors of the District's XXXXXX(the School), that comply with the 2010 ADA Standards for Accessible Design (2010 ADA Standards). The District will not begin implementation of the plan until OCR has reviewed and approved it. This plan should include sufficient detail, including diagrams and measurements, to show that the proposed renovations will comply with the 2010 ADA Standards. To provide accessibility in its bathrooms, the District will have the option to renovate existing bathrooms or construct two new unisex restrooms, one on each floor of the building.

The plan will include projected completion dates for implementation and will also include an interim plan to provide accessible restrooms pending completion of the renovations. In the event that OCR's review and approval of the plan takes longer than 60 days, OCR will allow the District an extension of the dates in Action Step and Reporting Requirement #2.

2. On June 1, 2016 and December 31, 2016, the District will provide OCR with progress reports regarding the implementation of its accessibility plan, including the completion of any renovations or modifications, as applicable. These reports will include a description of the work performed, along with

photographs (with dimensions, as applicable) and work orders. The District will continue to provide OCR with progress reports until the plan has been fully implemented and any work to be done under the plan has been completed. The District agrees to complete implementation of this plan no later than December 31, 2016. However, the District reserves the right to request a deadline extension due to unforeseeable complications created by outside construction vendors.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the District understands that during the monitoring of this Agreement, 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 the regulations implementing Section 504, at 34 C.F.R. §§ 104.21, 104.22, and 104.23, and the regulations implementing Title II, at 28 C.F.R. §§ 35.149, 35.150 and 35.151, which were at issue in this complaint.

The District understands that OCR will not close the monitoring of this Agreement until it determines that the District has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.21, 104.22, and 104.23, and the regulations implementing Title II, at 28 C.F.R. §§ 35.149, 35.150 and 35.151, which were at issue in this complaint.

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.

/s/

10/5/2015

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Superintendent  
Greater Nanticoke Area School District

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Date