

Resolution Agreement
OCR Case No. 03161107
Interboro School District

In order to resolve the allegation 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 Interboro School District (the District) enters into this Resolution Agreement and commits to implement the provisions set forth in this Agreement.

The District agrees that all physical modifications made to the parking facility serving its Administration Building, Kindergarten Academy and Prospect Elementary School (parking facility) will comply with the accessibility requirements of Section 504 and Title II for new construction and their implementing regulations at 34 C.F.R. §§ 104.21 and 104.23 and 28 C.F.R. §§ 35.149 and 35.151. The District further agrees that all modifications to this parking facility which are required pursuant to the provisions of this Agreement will conform to the 2010 ADA Standards for Accessible Design (2010 ADA Standards).

Action Steps and Reporting Requirements

1. The District will remount each of the five signs identifying the five accessible parking spaces at the parking facility, at the appropriate height as necessary to comply with ADA 2010 502.2 Vehicle Spaces (signs shall be 60 inches minimum above the finish floor or ground surface, measured to the bottom of the sign).
2. The District will modify each of the five accessible parking spaces at the parking facility as necessary to comply the dimensions required in accordance with ADA 2010 502.2 Vehicle Spaces (car parking spaces shall be 96 inches wide minimum and van parking spaces shall be 132 inches wide minimum).
3. The District will modify the access aisle located at the Prospect Elementary School section of the parking facility which is shared by the second and third accessible parking spaces coming from the direction of the accessible route as necessary comply the dimensions required in accordance with ADA 2010 502.3 Access Aisles (access aisles must be a minimum of 60 inches in width)

Reporting Requirements:

- By September 30, 2016, the District will provide a report to OCR, along with photographs (including those showing dimensions) and other information to demonstrate that these elements of the parking facility meet the appropriate standard of accessibility under the 2010 ADA Standards.

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 and 104.23, and the regulations implementing Title II, at 28 C.F.R. §§ 35.149 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 and 104.23, and the regulations implementing Title II of the ADA, at 28 C.F.R. §§ 35.149 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/

August 29, 2016

Superintendent or designee
Interboro School District

Date