

RESOLUTION AGREEMENT

Wood County Schools OCR Case No. 03231195

Wood County Schools (the District) agrees to resolve the referenced complaint by voluntarily entering into this Resolution Agreement (Agreement) with the U.S. Department of Education's Office for Civil Rights (OCR). The District assures OCR that it will take the following actions to ensure compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504) at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II) at 28 C.F.R. Part 35. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District.

The District agrees to take the following actions:

A. Accessibility Standards

1. In order to comply with Section 504 and Title II at 34 C.F.R. §§ 104.22-23 and 28 C.F.R. §§ 35.150-35.151, respectively, the District will determine what accessibility standards apply to the following facilities and elements at its schools:
 - a. Parking facilities that serve each of the District's twenty-four (24) school buildings. The assessment will include applicable signage.
 - b. The accessible routes between the accessible parking and accessible entrances, including signage applicable to accessible routes, at the following school buildings:
 - i. Blennerhassett Middle School
 - ii. Criss Elementary
 - iii. Emerson Elementary
 - iv. Fairplains Elementary
 - v. Franklin Elementary
 - vi. Gihon Elementary
 - vii. Greenmont Elementary
 - viii. Hamilton Middle School
 - ix. Jackson Middle School
 - x. Jefferson Elementary School
 - xi. Madison Elementary School
 - xii. Neal Elementary School
 - xiii. Parkersburg High School
 - xiv. Van Devender Middle School
 - xv. Vienna Elementary School
 - c. The accessible entrances, including signage applicable to accessible entrances, at the following school buildings:
 - i. Blennerhassett Elementary School
 - ii. Blennerhassett Middle School

- iii. Criss Elementary
- iv. Emerson Elementary
- v. Greenmont Elementary
- vi. Hamilton Middle School
- vii. Jackson Middle School
- viii. Kanawha Elementary School
- ix. Lubeck Elementary School
- x. Mineral Wells Elementary School
- xi. Neal Elementary School
- xii. Parkersburg High School
- xiii. Parkersburg South High School
- xiv. Williamstown Elementary

- d. The accessible routes to and the ground surface play areas located in playground facilities at all District schools where a playground facility exists.
 - e. The nurse's office sink at Williamstown Elementary School.
2. **Reporting Requirement:** Within 120 days of signing the Agreement, the District will provide OCR with a report that includes the accessibility standards that it determined will apply to each of the features identified in the section above. The report will include photographs, and drawings and/or maps depicting the facilities and elements at issue (including the routes of travel, entrances, and accessible elements, and their condition); and information identifying the dates of the school's construction, any subsequent alterations, and any currently planned alterations. This report will include the information considered and conclusions reached by the District in making its determinations. OCR will notify the District if it identifies any concerns with the accessibility standards identified by the District, and the District will submit a new report that addresses those concerns within 30 days of receiving OCR's notice of the concerns. The District and OCR will repeat this procedure until OCR approves the applicable accessibility standards.

B. Accessibility Assessment and Action Plan

- 1. After receiving OCR's approval of the applicable accessibility standards, the District will conduct an accessibility assessment of the facilities and elements identified above.
- 2. The District will develop a plan to address any facilities or elements which the District identified as not compliant with the applicable accessibility standards. The plan will include, but is not limited to: a description of all planned structural modifications or any other steps planned or taken by the District to address an inaccessible facility and/or element; a description and a detailed schedule for completing the improvements necessary to comply with applicable accessibility standards; and a description of any interim steps taken to provide accessibility with respect to the inaccessible elements identified.

3. **Reporting Requirement:** Within 150 days of receiving OCR’s approval of the applicable accessibility standards pursuant to section A.2, above, the District will submit a report to OCR containing the results of its assessment and the action plan described above. The assessment will include photographs, and drawings and/or maps depicting the facilities and elements at issue (including the routes of travel, entrances, and accessible elements, and their condition). OCR will notify the District if it needs additional data or requires revisions to the assessment or action plan, and the District will submit a new report that addresses those concerns within 30 days of receiving OCR’s notice. The District and OCR will repeat this procedure until OCR approves the assessment and action plan.
4. The District will implement the approved action plan.
5. **Reporting Requirement:** Within 30 days following the final date in the schedule contained in the approved action plan, the District will submit a report to OCR confirming that it has fully implemented the action plan. The report will include updated photographs, and drawings and/or maps depicting the facilities and elements at issue (including the routes of travel, entrances, and accessible elements, and their condition). OCR will notify the District if it needs additional data about the District’s implementation of the action plan, and the District will submit a new report to OCR that addresses those concerns within 30 days of receiving OCR’s notice. The District and OCR will repeat this procedure until OCR approves the implementation of the plan.

The District understands that by signing this resolution agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. Further, the District understands that during the monitoring of the resolution 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 the resolution agreement and is in compliance with Section 504, 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104, and Title II, 42 U.S.C. § 12131, and its implementing regulation, 28 C.F.R. Part 35, that were at issue in this case. Upon the District’s satisfaction of the terms and obligations of the resolution agreement and compliance with Section 504 and its implementing regulation, 34 C.F.R. Part 104, and Title II and its implementing regulation, 28 C.F.R. Part 35, that were at issue in this case, OCR will close the 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.

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

By: /s/_____ Date: 6/28/2023
Name:
Title: