

Resolution Agreement
Cheatham County School District
OCR Docket Number 04-13-1716

The U.S. Department of Education, Office for Civil Rights (OCR), initiated the above-referenced investigation of Cheatham County School District (The District), pursuant to 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 (ADA), 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35. Prior to the completion of OCR's investigation, the District asked to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual (CPM). This resolution has been entered into voluntarily between the parties. Accordingly, to ensure compliance with Section 504 and Title II and their implementing regulations and to resolve the issues of this investigation, the District voluntarily agrees to take the following actions.

1. By February 28, 2014, the District will ensure that Ashland City Elementary School's gymnasium entrance is accessible to individuals with disabilities, in accordance with the 2010 ADA Standards for Accessible Design, by replacing the 3 inch step at the exterior entrance with a ramp.

REPORTING REQUIREMENT: By April 1, 2014, the District will provide OCR with documentation (e.g., photographs, videos, diagrams, schematics of changes and measurements) to confirm the implementation of the above referenced corrective action measures. The photographs and videos will show measurements taken of the rise and length of the newly installed ramp at the exterior entrance to the gymnasium post-construction. As necessary, OCR will conduct an onsite inspection to confirm full implementation.

2. By February 28, 2014, the District will ensure that Ashland City Elementary School's gymnasium entrance is accessible to individuals with disabilities, in accordance with the 2010 ADA Standards for Accessible Design, by providing directional signage to indicate the route to the gymnasium's designated interior and exterior accessible entrances, consistent with the requirements of the 2010 ADA Standards for Accessible Design. The signage will be installed to meet requirements for brailled and raised characters.

REPORTING REQUIREMENT: By April 1, 2014, the District will provide OCR with documentation (e.g., photographs, diagrams, schematics of changes and measurements) to confirm the implementation of the above referenced corrective action measures. The photographs and videos will show measurements taken of the height of the signage. As necessary, OCR will conduct an onsite inspection to confirm full implementation.

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 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 regulation at 34 C.F.R. §§ 104.21-104.23, and Title II implementing regulation at 28 C.F.R. §§ 35.149-35.151.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504 and its implementing regulation at 34 C.F.R. §§ 104.21-104.23, and Title II implementing regulation at 28 C.F.R. §§ 35.149-35.151, which was at issue in 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 a minimum of sixty (60) calendar days to cure the alleged breach.

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

/s/

2/7/14

Superintendent or Designee

Date