

Resolution Agreement
Hillsborough County School District, Florida
Case Number 04-16-1223

The U.S. Department of Education, Office for Civil Rights (OCR) and Hillsborough County School District (the District) enter into this resolution agreement (Agreement) to resolve the allegation in the above-referenced complaint. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District. The District assures OCR that it will take the following actions to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504) as amended, 29 U.S.C. Section 794, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II) 42 U.S.C. Sections 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance and public entities, respectively.

Prior to the completion of OCR's investigation, the District agreed to resolve the issue of this investigation pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to resolve the issue of this investigation, the District agrees to take the following actions as related to the Gaither High School (School) stadium (Stadium).

1. The District will take the following steps to provide persons with mobility disabilities the opportunity to sit in the Stadium's accessible bleacher seating:
 - a. The District will ensure that persons with mobility disabilities and their companions have the ability to sit in integrated areas of the Stadium by designating an area of the accessible bleacher seating for guests with mobility disabilities.
 - b. **By August 1, 2018**, the District will designate four (4) wheelchair accessible spaces and four (4) adjacent companion spaces located between the home team's and visitors' dugouts. The designated accessible wheelchair and companion spaces shall comply with §§ 221 and 802 of the 2010 ADA Standards for Accessible Design (2010 ADA Standards)¹.
 - c. In order to ensure that persons with mobility disabilities are aware of the availability of the Stadium's designated accessible and companion seating, the School shall: (i) publicize the availability and location of the seating on the Athletics Department page of the School's website; and, (b) provide training via the District's annual training modules regarding the location of the accessible and companion seating.

REPORTING REQUIREMENTS

1. **By September 1, 2018**, the District will submit to OCR photos of the wheelchair accessible seats and their respective companion seats, including measurements of the spaces identified. The District shall also submit a copy of the public announcement that informs individuals of the availability and location of the designated accessible seating locations.

¹ Located at: <http://www.ada.gov/regs2010/2010ADASTandards/2010ADASTandards.htm#c1>

2. **By September 1, 2018**, the District will submit to OCR's a copy of the training information provided to District staff regarding the location of the designated accessible wheelchair and companion seating locations at the Stadium. The District shall also provide signed and dated sign-in sheets of District staff members, including job title, required to participate in this training module, and the identity and credentials of the individual who provided the training.

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 regulation at 34 C.F.R. §104.21, and Title II implementing regulation at 28 C.F.R. §35.149. Upon completion of the obligations under this Agreement, OCR shall close and dismiss 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.

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

Jeff Eakins, Superintendent or Designee
Hillsborough County School District

Date

Printed Name and Title