

RESOLUTION AGREEMENT
Polk County Public Schools
OCR Docket Number 04-17-1035

The Polk County Public Schools, Florida (District) submits to the U.S. Department of Education, Office for Civil Rights (OCR), this Resolution Agreement (Agreement) to voluntarily resolve the above-referenced complaint pertaining to Lakeland High School (School) home football games, and to ensure compliance with 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 (Title II), as amended, 42 U.S.C. §§ 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35. Accordingly, the District voluntarily agrees to take the following actions.

Item 1: By **May 1, 2017**, the District will submit for OCR approval, a statement that once approved, will be published to the website's for the District, School and for the website <http://Lakelandfootball.com/> wherein game schedule and information is posted, to inform the public that accessible parking spaces with designated signage for individuals with disabilities are, and will be, available at each home game at Bryant Stadium.

Reporting Requirements:

- a) By **May 5, 2017**, the District will provide OCR with its proposed statement to comply with Item 1.
- b) **Within 30 days of OCR's approval** of the District's proposed statement to satisfy Item 1, the District will publish the approved statement on the websites required by Item 1, and provide screen shots to OCR to document such publications.

Item 2: By **May 1, 2017**, the District will send a letter reminding the School Principal, and other principals for all schools in the District, which host football games at Bryant Stadium, all Athletic Directors (District, and school, if those are different), as well as all Booster Club members and event staff who work at, take part in or organize such games at Bryant Stadium, about the accessibility requirements of the Section 504 implementing regulations at Sections 104.21-23, with regard to parking and other football game programs and activities being offered at the Bryant Stadium facility. The letter will advise that District policy prohibits discrimination against persons with disabilities, which includes blocking accessible parking spaces at District/school-sponsored events, and that such spaces shall not be blocked or closed for any reason.

Reporting Requirements:

- a) By **May 5, 2017**, the District will provide OCR with its proposed letter to comply with Item 2.
- b) **Within 30 days of OCR's approval** of the District's proposed letter to satisfy Item 2, the District will send such letter to the persons designated in Item 2, and provide OCR with documentation that the letter was sent to those persons.

Item 3: By **October 2, 2017**, the District will provide OCR with pictures taken during each home football game to that date at Bryant Stadium, showing that the parking spaces with

designated signage for persons with disabilities are open and accessible to persons with disabilities who wish to park there, and the space is not otherwise blocked or signage covered.

Reporting Requirement:

By **October 9, 2017**, the District will submit to OCR pictures required by Item 3.

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 the regulations implementing Section 504 at 34 C.F.R. Sections 104.21-23 and Title II at 28 C.F.R. Section 35.130.

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 regulations implementing Section 504 at 34 C.F.R. Sections 104.21-23, and Title II at 28 C.F.R. Section 35.130.

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 Resolution Agreement will become effective immediately upon signature of the District's Superintendent or designee below.

/s/

4/17/17

District Superintendent or Designee
Polk County School District

Date