

**Resolution Agreement  
Bristol Tennessee City Schools (Tennessee)  
OCR Complaint # 04-21-1038**

The U. S. Department of Education, Office for Civil Rights (OCR) and the Bristol Tennessee City Schools (District) enter into this resolution agreement (Agreement) to resolve the allegations 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.

All modifications necessary to provide access under this Agreement will be made consistent with the applicable standards in the 2010 ADA Standards for Accessible Design pursuant to 28 C.F.R. § 35.151(c) and the Appendix to 28 C.F.R. § 35.151(c) (hereinafter, 2010 ADA Standards)<sup>1</sup> or any accessibility standard that provides equivalent or greater access to individuals with disabilities.

Prior to the completion of OCR's investigation, the District agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to ensure compliance with Section 504 and Title II and resolve the issues in Complaint # 04-21-1038, the District agrees to take the following actions:

**ACCESSIBILITY PLAN**

1. Within thirty (30) days of the execution of this Agreement, the District will retain or confer with a consultant who is knowledgeable about the accessibility requirements of Section 504 and Title II.
2. Within sixty (60) days of the execution of this Agreement, the District's consultant will conduct an accessibility survey of the Tennessee High School Football Stadium (Stadium) to ensure that the Stadium's seating areas and routes to and from these areas are in compliance with the 2010 ADA Standards.<sup>2</sup>

The District's consultant will examine the Stadium's seating areas and the routes to and from these areas and develop a written Accessibility Plan (Plan), identifying the modifications that are necessary to ensure that the seating areas and routes to and from these areas are accessible to and usable by persons with disabilities in accordance with Section 504, Title II, and the 2010 ADA Standards.

3. The Plan must ensure that the Stadium's seating areas and the routes to and from these areas comply with the specific requirements of the 2010 ADA Standards as set forth below. The

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<sup>1</sup> Located at: <https://www.ada.gov/regs2010/2010ADAStandards/2010ADAstandards.htm> (Last accessed 3/26/2021)

<sup>2</sup> Excluding the Press Box, which is not open to the public.

District will begin to implement the Plan no later than sixty (60) days after completion of the Plan and will include a timetable for completion of all identified modifications with a time period not to exceed one-hundred eighty (180) days of the execution of this Agreement. The District's Plan will address the following elements:

**Plan Requirements:**

- a. Install designated accessible seating area(s) in the Stadium that provides the required number of wheelchair spaces, companion seats, and designated aisle seats. *See* 2010 ADA Standards §§ 221, 801 and 802.
- b. Ensure that designated accessible seating areas in the Stadium, completed pursuant to the Plan, include the installation of designated accessible routes that connect the accessible parking to the nearest accessible entrance to the Stadium. *See* 2010 ADA Standards §§ 206.2.1 and 208.3.
- c. Ensure that directional signage, installed pursuant to the Plan, indicates the location of the nearest accessible entrance complying with § 404 from the designated accessible parking spaces. *See* 2010 ADA Standards §§ 216.6, 703.5 and 703.7.2.1.
- d. Ensure that the designated accessible seating areas are marked with the International Symbol of Accessibility. *See* ADA Standards §§ 703.7.2.1, 802.4.2.

**Reporting Requirements:**

**Within one hundred eighty (180) days of the execution of this Agreement** and upon completion of all work and modifications under the Agreement and the Plan, the District will provide OCR with photographs, including detailed measurements, that demonstrate that it has completed the requirements of the Plan in compliance with the 2010 ADA Standards and consistent with the requirements of this Agreement. In addition, the District will make the parking lot and designated accessible routes to the School and Stadium available for OCR to conduct an onsite inspection, if necessary, to ensure that the District is in compliance with the 2010 ADA Standards and the requirements of this Agreement.

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. Upon the District's satisfaction of the commitments made under the Agreement, OCR will close OCR Complaint # 04-21-1038.

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, 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 below.

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Superintendent or Designee  
For the District

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Date

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Printed Name and Title, if signed by  
Designee