

## **Resolution Agreement #05-16-1178 New Castle Community School Corporation**

New Castle Community School Corporation (Corporation) submits the following Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve OCR complaint # 05-16-1178. The Corporation submits this Agreement to ensure its compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), 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), 42 U.S.C. §§ 12131-12134, and its implementing regulation at 28 C.F.R. Part 35, with respect to the allegation of inaccessible wheelchair space raised in this complaint.

1. The Corporation agrees that by January 1, 2017, it will ensure that the New Castle Fieldhouse (Fieldhouse) has a sufficient number of spaces for individuals with disabilities attending events at the Fieldhouse, as well as a sufficient number of companion seats and that these spaces are connected to an accessible route from an accessible entrance to the Fieldhouse. The seating and accessible route will conform to the 2010 ADA Standards for Accessible Design (2010 ADA Standards).

**REPORTING REQUIREMENT:** By January 13, 2017, the Corporation will provide documentation to OCR that it has implemented Item #1 of the Agreement. This documentation will include photographic evidence.

The Corporation understands that OCR will not close the monitoring of this Agreement until OCR determines that the Corporation has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.22 and 104.23, and Title II, at 28 C.F.R. §§ 35.150 and 35.151, which were at issue in this case.

The Corporation also 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 Corporation understands that during the monitoring of this Agreement, if necessary, OCR may visit the Center, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Corporation has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.22 and 104.23, and Title II, at 28 C.F.R. §§ 35.150 and 35.151, which were at issue in this case.

The Corporation 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 or judicial proceedings to enforce the specific terms and obligations of this Agreement, OCR shall give the Corporation written notice of the alleged breach and a sixty (60) calendar days to cure the alleged breach.

Approved and agreed to on behalf of New Castle Community School Corporation.

\_\_\_\_\_  
Superintendent or designee

\_\_\_\_\_  
Date