

## **Resolution Agreement #05-17-1278 Carlyle Community Unit School District #1**

Carlyle Community Unit School District (District), submits the following Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve OCR complaint # 05-17-1278. The District 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. 12132, and its implementing regulation at 28 C.F.R. Part 35, with respect to the allegation raised in this complaint.

The District agrees to the following:

1. For purposes of this complaint and Agreement, the District agrees to provide an accessible route from the parking lot located between both ball fields to the baseball and softball facilities at the Carlyle High School (high school) to comply with the 2010 ADA Standards for Accessible Design (2010 ADA Standards). To the extent the District alters or renovates existing facilities or parts of facilities, or constructs new facilities, such alterations, renovations and new construction will conform to the 2010 ADA Standards.
2. By April 15, 2018, the District will:
  - a. Provide an accessible route from its parking lot to its high school baseball and softball facilities that is at least 36 inches wide and has a firm, stable, slip resistance surface.
  - b. Ensure any running slope along the accessible route is not steeper than 1:20 and the cross slope is not be steeper than 1:48 (502.4).

**REPORTING REQUIREMENT:** By April 30, 2018, the District will provide documentation to OCR that it has implemented item #2 of the Agreement.

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. § 104.23, and Title II, at 28 C.F.R. § 35.151, which were at issue in this case.

The District 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 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. §§ 104.23, and Title II, at 28 C.F.R. § 35.151, which were 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 or judicial proceedings to enforce the specific terms and obligations of 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.

FOR: Carlyle Community Unit School District #1

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Mr. Joe Novsek  
Superintendent of Schools

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Date