

Resolution Agreement #05-20-1095 Fort Wayne Community Schools

Fort Wayne Community Schools (Corporation) submits the following Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve OCR complaint # 05-20-1095. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the Corporation. 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 raised in this complaint.

1. By January 1, 2021, the Corporation will ensure that the renovated bleachers in the main gymnasium at Northrup High School (School) will have a sufficient number of wheelchair spaces, companion seats and designated aisle seats for individuals with mobility impairments, in compliance with 2010 ADA Standards for Accessible Design (2010 ADA Standards). The Corporation will also ensure that it provides appropriate signage designating the accessible seating areas, in compliance with the 2010 ADA Standards.

REPORTING REQUIREMENT: By January 15, 2021, 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 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 Corporation, 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 and obligations of this Agreement. Upon the Corporation's satisfaction of the commitments made under this Agreement, OCR will close 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.

This Agreement will become effective immediately upon the signature of the Corporation's representative below.

Superintendent or designee

Date