

**Resolution Agreement  
OCR Complaint #05-22-1629  
Northbrook Glenview School District 30**

Northbrook Glenview School District 30 (District) submits the following agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR) in resolution of OCR complaint #05-22-1629. This Agreement does not constitute an admission of liability, noncompliance, or wrongdoing by the District. 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 (ADA), 42 U.S.C. §§ 12131– 12134, and its implementing regulation, at 28 C.F.R. Part 35, with respect to the issues raised in the complaint.

The District agrees to take the actions listed below in order to provide individuals with disabilities access to the District's playground at Westcott Elementary School (School). Modifications made pursuant to this Agreement will comply with the applicable requirements of the 2010 ADA Standards for Accessible Design (the 2010 ADA Standards).

1. By May 1, 2023, the District will develop a Playground Surface Accessibility Plan (Plan) identifying the modifications that are necessary to ensure the School's playground surface is accessible to individuals with mobility impairments as required by the 2010 ADA Standards. The District's Plan will, at a minimum, include:
  - A. A description of the type of the School playground's surface material (i.e., engineered wood fiber);
  - B. A schedule for regularly and frequently inspecting the School playground's surface to ensure its continued accessibility and continued compliance with the 2010 ADA Standards;
  - C. A schedule for regularly and frequently maintaining the School playground's surface to ensure its continued accessibility and continued compliance with the 2010 ADA Standards, including but not limited to an explanation as to when and how it will replace or replenish displaced surface material and compact it to ensure accessible routes and level ground space throughout the playground;
  - D. The District staff member(s) responsible for overseeing the District's adherence to its inspection and maintenance schedules; and
  - E. A description of how the District will maintain records or other documentation demonstrating compliance with this item.

**REPORTING REQUIREMENT:** By May 1, 2023, the District will submit the Plan for OCR's review and approval.

2. Within thirty (30) days of OCR's approval of the Plan, the District will begin implementing the Plan.

**REPORTING REQUIREMENT:** By September 15, 2023, the District will provide OCR documentation demonstrating its implementation of the Plan, including but not limited to photographs of the School's playground surface from various angles.

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. 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.

The District understands that OCR will not close the monitoring of this Agreement until such time as OCR determines that the District is in compliance with the terms of this Agreement and Section 504, 29 U.S.C. § 794, and its implementing regulation, at 34 C.F.R. Part 104, and Title II, 42 U.S.C. §§ 12131– 12134, and its implementing regulation, at 28 C.F.R. Part 35, which were at issue in this case.

The District understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (DOJ) for judicial proceedings in the event of a breach. Before initiating such proceedings, OCR will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

Approved and agreed to and on behalf of the District:

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Superintendent

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Date