

Resolution Agreement
OCR Docket No. 06151239
Campbell Independent School District (CISD)

OCR and Campbell Independent School District (CISD) enter into this agreement to resolve the allegation in the above-referenced complaint. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the CISD. The CISD assures the U. S. Department of Education, Office for Civil Rights, (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.

Prior to the completion of OCR's investigation, the CISD agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve the issues of this investigation, the CISD agrees to take the following actions.

The District warrants to OCR that it will ensure compliance with the Section 504 regulation at 34 C.F.R. Section 104.21 and the Title II regulation at 28 C.F.R. Section 35.149, providing that no qualified person with a disability shall, because a recipient's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity operated by the recipient.

ACTION ITEM:

1. By _____, 2017, the CISD will conduct a self-assessment of the bleachers in the "multi-purpose gym".
2. Following the self-evaluation, the District will develop a written plan (Plan) by _____, 2017, identifying the modifications, if any, that are necessary to ensure that the bleachers in the "multi-purpose gym" are accessible to and usable by persons with mobility impairments. The Plan will include a timetable for completion of all identified modifications with a time period not to exceed _____, 2017.

REPORTING:

1. By _____, the CISD will submit a report to OCR regarding self-assessment of the bleachers in the "multi-purpose gym." If the District determines that physical alteration is necessary, it will make the changes in

compliance with the Section 504 and Title II and the 2010 ADA Standards for Accessible Design (2010 ADA Standards).

CISD 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, CISD understands that during the monitoring of this Agreement, if necessary, OCR may visit CISD, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether CISD has fulfilled the terms of this Agreement and is in compliance with Section 504 and its implementing regulation at 34 C.F.R.§104.21, and Title II implementing regulation at 28 C.F.R. §35.149. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this case.

CISD 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 (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR shall give the CISD 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 CISD 's representative below.

Dr. Denise Morgan, Superintendent
Campbell Independent School District

Date