



RESOLUTION AGREEMENT
Lake Travis Independent School District
OCR Complaint Number #06151657

The Lake Travis Independent School District (LTISD) at Austin, Texas, voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office. By this Agreement, the LTISD commits to the following actions, consistent with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131 et seq., and their respective implementing regulations, to resolve the allegations raised in the above-referenced complaint. This Agreement does not constitute an admission by the LTISD that it discriminated or otherwise engaged in any wrongdoing.

The LTISD understands that OCR will not close the monitoring of this Agreement until OCR determines that the LTISD has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. § 104.21, and Title II, at 28 C.F.R. § 35.149. The LTISD 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 LTISD understands that during the monitoring of this Agreement, if necessary, OCR may visit the LTISD, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the LTISD has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. § 104.21, and Title II, at 28 C.F.R. § 35.149, which were at issue in this case. The LTISD 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 LTISD written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

The LTISD will ensure that any new facilities or part of a facility will be constructed in accordance with U.S. Department of Justice (DOJ) guidelines. Be advised, DOJ's 2010 ADA Standards for Accessible Design, 28 C.F.R. Part 36, Appendix A (2010 Standards), became effective on March 15, 2011. Compliance with the 2010 Standards is required for new construction and alterations initiated on or after March 15, 2012.¹

Unless otherwise noted, all structural changes or modifications to existing facilities pursuant to

¹ In the U.S. Department of Education's *Notice of Interpretation of Section 504 of the Rehabilitation Act of 1973*, 77 Fed. Reg. 14972 (March 14, 2012), the Department states, "For new construction and alterations commenced on or after March 15, 2012, the 2010 Title II ADA Standards will be used by Education in its enforcement of the Title II regulations." For purposes of Title II compliance, public entities, including the CISD, must comply with the 2010 Title II ADA Standards as of March 15, 2012, even if the Uniform Federal Accessibility Standards (UFAS) remain an option under the Section 504 regulations for some period after this date.

this Agreement will be in accordance with the technical and scoping requirements of the 2010 Standards referenced above.² New and altered facilities (or the identified new or altered part(s)) will be readily accessible to and usable by individuals with disabilities.

The LTISD hereby commits to the following:

Action ITEMS:

A. By December 1, 2016, LTISD will inspect all paths of travel and submit to OCR a report identifying the nearest accessible entrances (gates, doors, etc.) and routes to its play areas at the playground facility located at the Lakeway Elementary school, to determine whether they are in compliance with ADAAG § 4.5, together with all associated figures and other cross-referenced provisions.

1. **Reporting Requirement:** By December 15, 2016, the LTISD will submit to OCR a report of its findings/determinations regarding the accessible routes, and entrances to the playground and play areas at Lakeway Elementary. The LTISD will make all changes necessary to ensure that the paths of travel to the playground and play areas at Lakeway Elementary are compliant with the appropriate accessibility standard, such that the areas are readily accessible to and usable by individuals with disabilities. This report will include measurements, photograph, invoices, reports and such other documentation sufficient to show compliance with Section 504 and Title II, regarding the above reference provisions of the Agreement.

B. By December 1, 2016, the LTISD will submit to OCR a report that any modifications of the Floor or Ground surfaces beneath all play equipment at Lakeway Elementary are stable, firm, and slip resistant to comply with the provisions of Section 302 (Floor or Ground Surfaces) of the 2010 Standards.

2. **Reporting Requirement:** By December 15, 2016, the LTISD will submit to OCR a report of its findings/determinations regarding the Floor or Ground surfaces beneath all play equipment at the playground at Lakeway Elementary. The LTISD will make all changes necessary to ensure that the floor or ground surfaces beneath all play equipment at the playground at Lakeway Elementary are stable, firm, and slip resistant and are compliant with the appropriate accessibility standard, such that the areas are readily accessible to and usable by individuals with disabilities. This report will include measurements, photograph, invoices, reports and other documentation (including information about materials and vendors) sufficient to show compliance with Section 504 and Title II, regarding the above reference provisions of the Agreement.

/S/

Dr. Brad Lancaster, Superintendent
Lake Travis Independent School District

Date

² The 2010 Standards can be accessed at this DOJ website: www.ada.gov/2010ADASTandards_index.htm.