

**VOLUNTARY RESOLUTION AGREEMENT**  
**Richland Springs Independent School District**  
**Complaint Number 06161243**

Richland Springs Independent School District (RSISD) voluntarily submits this agreement to resolve the allegation in the above referenced complaint. The RSISD assures the U. S. Department of Education, Office for Civil Rights, (OCR), that it will take the following actions, consistent with its obligation to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, (amended 1992), and its implementing regulation at 34 C.F.R. Part 104 (2011) 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 (2011) which prohibit discrimination on the basis of disability.

The RSISD will ensure that any new facilities or part of a facility will be constructed in accordance with the U.S. Department of Justice (DOJ) guidelines. Be advised, the 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 that were initiated on or after March 15, 2012.<sup>1</sup>

Unless otherwise noted, all structural changes or modifications to existing facilities pursuant to the Agreement will be in accordance with the technical and scoping requirements of the 2010 Standards referenced above.<sup>2</sup> New and altered facilities (or the identified new or altered part) will be readily accessible to and usable by individuals with disabilities.

The RSISD is subject to Section 504 and Title II because it receives Federal financial assistance from the Department and is a public entity. In light of the compliance concerns identified for Complaint Number 06161243, the RSISD has agreed to the terms of this Agreement as set forth below.

**Remedial Action Required**

1. By **December 31, 2017**, the RSISD will ensure that the parking lots serving the football stadium used by the RSISD athletic teams provide appropriate designated accessible parking spaces, access aisles and/or loading zones and an appropriate, separate accessible route leading from these spaces to the accessible entrances of the facilities it serves, in accordance with the 2010 Standards. The RSISD will, at a minimum, take the following steps:
  - a. Determine the total number of parking spaces that the lot can hold, and based on that number determine the number of accessible parking spaces (at least one) as required by section 208.2 of the 2010 Standards; and install/ensure this number of accessible

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<sup>1</sup> 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 the purposes of Title II compliance, a public entity must comply with the 2010 Title II ADA Standards as of March 15, 2012, even if the Uniform Federal Accessibility Standards (UFAS) remains an option under the Section 504 regulations for some period after this date.

<sup>2</sup> The 2010 Standards can be accessed at this DOJ website: [www.ada.gov/2010ADASTandards\\_index.htm](http://www.ada.gov/2010ADASTandards_index.htm).

- parking spaces in the parking lot, or in another lot whereby equivalent or greater accessibility, in terms of distance from an accessible entrance, is ensured, as allowed by section 208.3.1. The minimum number of spaces must still be determined separately for the lot even if the spaces are to be provided in other lots or locations, as required by section 208.2.
- b. Designate the required number of accessible parking spaces, with appropriate access aisle(s) and curb ramp (if needed due to change in levels), on the shortest accessible route of travel from the accessible parking to an accessible entrance of the facility (i.e., Football stadium). A minimum of one parking space will be van-accessible in the lot, with an appropriate access aisle, as required by sections 208.2.4 and 502.
  - c. Designate the accessible parking spaces as reserved for the disabled by a sign showing the international symbol of accessibility, which will be of an appropriate height so as not to be obscured by a vehicle parked in the space. Van-accessible parking spaces will be marked and signed van-accessible, as required by section 502.6 and 703.7.2.1.
2. By **December 31, 2017** the RSISD will ensure that the football stadium used by the RSISD athletic teams are accessible to individuals with disabilities, including ensuring that it provides appropriate designated accessible entrances and spectator seating, in accordance with the 2010 Standards. The RSISD will, at a minimum, take the following steps:
- a. Ensure that entrances are provided in a manner that complies with sections 206 (Accessible Routes), 206.4 (Entrances) and 404 (Doors).
  - b. Ensure that designated accessible seating is provided in a manner that complies with the applicable provisions of sections 221 (Assembly Areas) and 802 (Wheelchair Spaces, Companion Seats, and Designated Aisle Seats), including ensuring that an accessible route is provided from any accessible entrances to the football stadium to the designated accessible seating pursuant to section 206 (Accessible Routes).

## **REPORTING REQUIREMENTS**

1. By **September 1, 2017**, the RSISD will submit a report to OCR indicating the manner in which the facilities listed in action items 1 and 2 will be altered to comply with the 2010 Standards. This report shall include measurements, photographs, technical drawings, work orders, invoices, reports and other such documentation sufficient to show compliance with Section 504 and Title II regarding the above referenced provisions of the agreement.
2. Within 30 days of the RSISD's submission in #1 above, OCR will either notify the RSISD of its approval, or advise the RSISD of further information needed with regard to the submission.
3. By **January 30, 2018**, the RSISD will submit a final report to OCR demonstrating the completed modifications to the facilities listed in action items 1 and 2. This report shall

include measurements, photographs, technical drawings, work orders, invoices, reports and other such documentation sufficient to show compliance with Section 504 and Title II regarding the above referenced provisions of the Agreement.

**IMPLEMENTATION AND ENFORCEMENT OF THIS AGREEMENT**

The RSISD understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the RSISD understands that during the monitoring of this Agreement, OCR may visit the RSISD, interview staff, and request such additional reports or data as are necessary for OCR to determine whether the RSISD has fulfilled the terms of this Agreement and is in compliance with the statutes and regulations that were at issue in this case.

The RSISD understands that OCR will not close the monitoring of this Agreement until such time that OCR determines that the RSISD has fulfilled the terms of this Agreement and is in compliance with the statutes and regulations that were at issue in this case.

The RSISD understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings, including 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 RSISD written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

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Mr. Don Fowler  
Superintendent  
Richland Springs ISD

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Date