

VOLUNTARY RESOLUTION AGREEMENT

Terrebonne Parish School District

Complaint Number 06-21-1680

The U.S. Department of Education (Department), Office for Civil Rights (OCR), and the Terrebonne Parish School District (District) enter into this agreement to resolve compliance concerns identified in the above-referenced complaint. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District. The District assures 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), as amended, 29 U.S.C. § 794 *et seq.*, 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 *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.

The District will ensure that any new facilities or part of a facility will be constructed in accordance with the U.S. Department of Justice's (DOJ) adopted accessibility guidelines. The DOJ's 2010 ADA Standards for Accessible Design (2010 Standards), 28 C.F.R. Part 36, Appendix A, became effective on March 15, 2012. Compliance with the 2010 Standards is required for new construction and alterations that were initiated on or after March 15, 2012. Prior to the 2010 Standards, the effective standards for new construction were the American National Standards Institute (ANSI), effective June 3, 1977, the Uniform Federal Accessibility Standards (UFAS), effective January 18, 1991, and the 1991 Americans with Disabilities Act Accessibility Guidelines (ADAAG), effective January 26, 1992.

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.¹ New and altered facilities (or the identified new or altered part) will be readily accessible to and usable by individuals with disabilities.

Prior to the completion of OCR's investigation, the District agreed to resolve an allegation in this complaint pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, the District agrees to take the following actions.

Action Item I: Restroom(s)

By March 31, 2023, the District will provide at least one accessible toilet room (restroom) on the first floor of XXX XXX XXX (the School). At a minimum, the District must provide accessible restrooms for each sex (Boys' and Girls' Restrooms), or one unisex restroom available to persons with a disability (Lounge Restroom), in accordance with the 2010 Standards:

¹ The 2010 Standards can be accessed at this DOJ website: https://www.ada.gov/2010ADASTandards_index.htm.

- A. If the District opts to provide one accessible unisex restroom on the School's first floor (Lounge Restroom), it will take the following steps to ensure the restroom complies with the 2010 Standards:

Signage:

1. Provide signage at inaccessible restrooms (Boys' Restroom and Girls' Restroom) that give direction to the accessible restroom (Lounge Restroom) (See 2010 Standards § 216.8);
2. Provide signage for the accessible restroom (Lounge Restroom) that is compliant regarding background contrast, raised characters, Braille, wall mounting location, clear floor space, and height from floor. (See 2010 Standards § 703.2-703.4.2 and 703.5);

Entrance:

3. Provide a clear door opening of at least 32 inches with the door open at 90 degrees (See 2010 Standards §404.2.3);
4. Reverse swing of door to outside or ensure that the front approach to the pull side of door has at least 18 inches maneuvering clearance beyond the latch side (See 2010 Standards §404.2.4);
5. Provide door hardware that does not require tight grasping or twisting of wrist (e.g., lever handle) (See 2010 Standards § 404.2.7).

In the Restroom:

6. Provide clear floor space of a circle at least 60 inches in diameter or a T-shaped space within a 60-inch square (See 2010 Standards § 603.2.1);
7. Reverse swing of door to outside or provide a clear floor space of at least 30 inches by 48 inches beyond the inside swing of the door (See 2010 Standards § 603.2.3);
8. Ensure that the bottom edge of the reflecting surface of the mirror over the lavatory (sink) is no higher than 40 inches (See 2010 Standards § 603.3);

Lavatory (Sink):

9. Insulate pipes below sink or otherwise configure them to prevent contact (See 2010 Standards § 606.5);
10. Provide faucet that is operable without tight grasping, pinching or twisting of the wrist (e.g., lever handle(s)) (See 2010 Standards § 606.4);
11. Ensure the operable parts of the towel dispenser is no higher than 48 inches above the floor (See 2010 Standards § 606.5);

Water Closet (Toilet):

12. Ensure the centerline of the toilet is no less than 16 inches and no greater than 18 inches from the side wall (See 2010 Standards § 604.2);
13. Provide clearance around toilet that is at least 60 inches from the side wall and 56 inches from the rear wall (See 2010 Standards § 604.3.1);
14. Install a grab bar on the side wall that is at least 42 inches long (See 2010 Standards § 604.5.1);
15. Ensure the side grab bar extends at least 54 inches from the rear wall (See 2010 Standards § 604.5.1);
16. Ensure the grab bar on the rear wall extends at least 24 inches on the open side (See 2010 Standards § 604.5.2); and
17. Relocate the toilet paper dispenser at no less than 7 inches and no greater than 9 inches from the front of the water closet to the centerline of the dispenser (See 2010 Standards § 604.7).

- B. If the District opts to provide at least one accessible restroom for each sex on the School's first floor (Boys' and Girls' Restroom), it will ensure these restrooms comply with the 2010 Standards:

Boys' Restroom

Signage:

1. Provide signage that is compliant regarding background contrast, raised characters, Braille, wall mounting location, clear floor space, and height from floor (See 2010 Standards § 703.2-703.4.2 and 703.5);

Entrance:

2. Provide a clear door opening of at least 32 inches with the door open at 90 degrees (See 2010 Standards § 404.2.3);
3. Ensure that the front approach to the pull side of door has at least 18 inches maneuvering clearance beyond the latch side (See 2010 Standards § 404.2.4);

Lavatory (Sink):

4. Insulate pipes below sink or otherwise configure them to prevent contact (See 2010 Standards § 606.5);

Wheelchair-Accessible Toilet Compartment (Stall):

5. Ensure there is at least one wheelchair accessible stall (See 2010 Standards § 604.8.1);
6. Provide a door opening width of at least 32 inches clear between the face of the door and the stop when the door is open 90 degrees (See 2010 Standards § 604.8.1.2);

7. Provide a front approach to the pull side of the door with at least 18 inches of maneuvering clearance beyond the latch side plus 60 inches clear depth (See 2010 Standards § 604.8.1.2);
8. Provide a door pull on the inside that is operable with one hand without requiring tight grasping, pinching or twisting of the wrist (See 2010 Standards § 604.8.1.2);
9. Ensure the stall is at least 60 inches wide (See 2010 Standards § 604.8.1.1);
10. If the toilet is floor mounted, ensure the stall is at least 59 inches deep (See 2010 Standards § 604.8.1.2);
11. Provide clearance provided around toilet that is at least 60 inches from the side wall and 56 inches from the rear wall (See 2010 Standards § 604.3.1);
12. Ensure the height of the toilet is no less than 17 inches and no greater than 19 inches above the floor measured to the top of the seat (See 2010 Standards § 604.4);
13. Install a grab bar on the side wall that is at least 42 inches long (See 2010 Standards § 604.5.1).
14. Ensure the side grab extends at least 54 inches from the rear wall (See 2010 Standards § 604.5.1);
15. Mount the side grab bar no less than 33 inches and no greater than 36 inches above the floor to the top of the gripping surface (See 2010 Standards § 609.4);
16. Install a grab bar on the rear wall (See 2010 Standards § 604.5.2 and 609.3-609.4)
17. Ensure the flush control is on the open side of the toilet (See 2010 Standards § 604.6).

Girls' Restroom

Signage:

18. Provide signage that is compliant regarding background contrast, raised characters, Braille, wall mounting location, clear floor space, and height from floor (See 2010 Standards § 703.2-703.4.2 and 703.5);

Entrance:

19. Provide a clear door opening of at least 32 inches with the door open at 90 degrees (See 2010 Standards § 404.2.3);

In the Restroom:

20. Provide clear floor space of a circle at least 60 inches in diameter or a T-shaped space within a 60-inch square (See 2010 Standards § 603.2.1);

Lavatory (Sink):

21. Insulate pipes below sink or otherwise configure them to prevent contact (See 2010 Standards § 606.5);
22. Provide at least 27 inches clearance from the floor to the bottom of the sink (See 2010 Standards § 306.3.3);

Wheelchair-Accessible Toilet Compartment (Stall):

23. Ensure there is at least one wheelchair accessible stall (See 2010 Standards § 604.8.1);
24. Provide a door opening width of at least 32 inches clear between the face of the door and the stop when the door is open 90 degrees (See 2010 Standards § 604.8.1.2);
25. Provide a door pull on the inside that is operable with one hand without requiring tight grasping, pinching or twisting of the wrist (See 2010 Standards § 604.8.1.2);
26. Ensure the stall is at least 60 inches wide (See 2010 Standards § 604.8.1.1);
27. Provide clearance provided around toilet that is at least 60 inches from the side wall and 56 inches from the rear wall (See 2010 Standards § 604.3.1);
28. Ensure the height of the toilet is no less than 17 inches and no greater than 19 inches above the floor measured to the top of the seat (See 2010 Standards § 604.4);
29. Install a grab bar on the side wall that is at least 42 inches long (See 2010 Standards § 604.5.1).
30. Ensure the side grab extends at least 54 inches from the rear wall (See 2010 Standards § 604.5.1);
31. Mount the side grab bar no less than 33 inches and no greater than 36 inches above the floor to the top of the gripping surface (See 2010 Standards § 609.4);
32. Install a grab bar on the rear wall (See 2010 Standards § 604.5.2 and 609.3-609.4);
33. Ensure the flush control is on the open side of the toilet (See 2010 Standards § 604.6);
34. Relocate the toilet paper dispenser at no less than 7 inches and no greater than 9 inches from the front of the water closet to the centerline of the dispenser (See 2010 Standards § 604.7).

Reporting Requirement for Action Item I

1. **By December 31, 2022**, the District will provide a report indicating whether it has opted to provide one unisex accessible restroom (Lounge Restroom) or one accessible restroom for each sex (Boys' and Girls' Restroom) on the first floor of the School in accordance with Action Item I.
2. If the District has opted to provide one unisex accessible restroom on the first floor (Lounge Restroom), **by May 31, 2023**, the District will provide a report indicating that it has taken the actions described under Action Item I.A.,1-17. The District's report will include documentation satisfactory to OCR showing those actions. Such documentation will include, for example, detailed photographs or videos showing the relevant measurements of any alterations or renovations, etc.
3. If the District has opted to provide one accessible restroom for each sex on the first floor (Boys' and Girls' Restrooms), **by May 31, 2023**, the District will provide a report indicating that that it has taken the actions described under Action Items I.B.,1-34. The District's report will include documentation satisfactory to OCR showing those actions. Such documentation will include, for example, detailed photographs or videos showing the relevant measurements of any alterations or renovations, etc.

Action Item II: Accessible Route

By November 30, 2022, the District will take actions to ensure that the exterior route (sidewalk) from the main School building to the portable buildings (used for XXX, XXX, and XXX XXX) is accessible, in accordance with 2010 Standards. Specifically, the District will repair two walkway level changes (sidewalk cracks) on the route that are respectively $\frac{3}{4}$ inch and 1 inch high so that they are no more than $\frac{1}{4}$ inch high or are between $\frac{1}{4}$ and $\frac{1}{2}$ inch, beveled with a slope no greater than 1:2 (See 2010 Standards §§ 403.4, 303.2 and 303.3).

Reporting Requirement for Action Item II

By December 31, 2022, the District will provide a report indicating that it has taken the actions described under Action Item II. The District's report will include documentation satisfactory to OCR showing those actions. Such documentation will include, for example, detailed photographs or videos showing the relevant measurements of any alterations or renovations, etc.

Action Item III: Ramps

By March 31, 2023, the District will take the following actions to ensure that the following ramps at the School are accessible, in accordance with the 2010 Standards:

A. Ramp to Portable Building used for XXX:

1. Ensure the running slope does not exceed 1:12 (5.8 degrees), *or 1:10 (5.7 degrees) with a rise no greater than 6 inches if there are space limitations* (See 2010 Standards § 405.2);
2. Install a level landing at the top of the ramp that is at least 60 inches long and at least as wide as the ramp; retain level landing at bottom of ramp with same dimensions as above (See 2010 Standards § 405.7.2);
3. *If the rise is greater than 6 inches*, install handrails on each side of the ramp that meet requirements regarding height, continuous gripping surface, and the size of the cross section and perimeter for the gripping surface (See 2010 Standards §§ 405.8, 505.3-.505.4, and 505.7.2); and

B. Ramp to portable buildings used for XXX and XXX XXX:

1. Handrails are not required because the ramp rise is not greater than 6 inches. However, if the District maintains handrails:
 - a. Ensure that the cross section of the handrail gripping surface is no greater than 2 $\frac{1}{2}$ inches and that the perimeter of the handrail gripping surface is no less than 4 inches and no greater than 6 $\frac{1}{2}$ inches (See 2010 Standards § 505.7.2); and
 - b. Ensure the surface of the ramp extends at least 12 inches beyond the inside face of the handrail or install a curb or barrier (at the bottom of the handrail) that prevents the passage of a 4-inch diameter sphere (See 2010 Standards §§ 405.9.1 and 405.9.2).

Reporting Requirement for Action Item III

By May 31, 2023, the District will provide a report indicating that it has taken the actions described under Action Item III A and B. The District's report will include documentation satisfactory to OCR showing those actions. Such documentation will include, for example, detailed photographs or videos showing the relevant measurements of any alterations or renovations, etc.

Action Item IV: Entrances

By November 30, 2022, the District will take the following actions to ensure that the following entrances at the School are accessible, in accordance with the 2010 Standards:

A. **Entrance to Portable Building Used for XXX**

1. Ensure the threshold level is no more $\frac{1}{2}$ maximum or $\frac{3}{4}$ inch maximum with a beveled edge on each side with a slope not steeper than 1:2 (See 2010 Standards § 404.2.5);
2. Install door handle that is operable with one hand and without tight grasping, pinching, or twisting of the wrist (e.g., lever handle) (See 2010 Standards §§ 404.2.7 and 309.4); and

B. **Entrance to Portable Building used for XXX XXX:**

1. Ensure the threshold level is no more $\frac{1}{2}$ maximum or $\frac{3}{4}$ inch maximum with a beveled edge on each side with a slope not steeper than 1:2 (See 2010 Standards § 404.2.5); and
2. Install door handle that is operable with one hand and without tight grasping, pinching, or twisting of the wrist (e.g., lever handle) (See 2010 Standards §§ 404.2.7 and 309.4);

Reporting Requirement for Action Item IV

By December 31, 2022, the District will provide a report indicating that it has taken the actions described under Action Item IV A and B. The District's report will include documentation satisfactory to OCR showing those actions. Such documentation will include, for example, detailed photographs or videos showing the relevant measurements of any alterations or renovations, etc.

General Provisions

By signing the resolution agreement, the District agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. During the monitoring of the resolution agreement, if necessary, OCR may visit the recipient, 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 the resolution 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 the statutes and regulations at issue in this case.

The District understands that OCR may initiate administrative enforcement proceedings or refer the case to the DOJ for judicial proceedings to enforce the specific terms of the agreement and the applicable statutes and regulations. 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.

This agreement will become effective immediately upon the signature of the District's representative below.

Superintendent or Designee Signature
Terrebonne Parish School District

Date