

Resolution Agreement
Kansas City #33 School District
OCR Case Number: 07181155

The Kansas City #33 School District, Kansas City, Missouri, submits this voluntary Resolution Agreement to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve this complaint filed under 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 (Title II), 42 U.S.C. § 12131, and its implementing regulation at 28 C.F.R. Part 35.

The Kansas City #33 School District voluntarily agreed to resolve this complaint prior to the conclusion of OCR's investigation. This Resolution Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the Kansas City #33 School District.

The Kansas City #33 School District agrees to take the following actions:

1. By October 1, 2021, the Kansas City #33 School District will adjust the interior door at the main accessible entrance to George Melcher Elementary School (on the northeast side of the building) so that the opening force for the door is compliant with the 2010 Americans with Disabilities Act Standards for Accessible Design.¹

REPORTING REQUIREMENT 1: By November 1, 2021, the Kansas City #33 School District will provide written confirmation that it has complied with Paragraph 1 and provide a photograph showing the current opening force measurement for the interior door at the main accessible entrance to George Melcher Elementary School.

2. By October 1, 2021, the Kansas City #33 School District will develop a plan to provide (a) accessible parking at George Melcher Elementary School and (b) an accessible route from the accessible parking to the main accessible entrance at George Melcher Elementary School (on the northeast side of the building), in conformity with the 2010 Americans with Disabilities Act Standards for Accessible Design. This plan must address (but is not limited to) the deficiencies noted in the June 7, 2021, report of XXXXX XXXXX, XXXXX.

REPORTING REQUIREMENT 2: By November 1, 2021, the Kansas City #33 School District will provide OCR a copy of the plan developed in accordance with paragraph 2 of this Resolution Agreement.

3. By November 15, 2021, the Kansas City #33 School District will begin implementing the plan required by Paragraph 2 and make all necessary modifications to bring the (a) accessible parking at George Melcher Elementary School and (b) route from the accessible parking to the main accessible entrance at George Melcher Elementary School (on the northeast side of the building) into conformity with the 2010 Americans with Disabilities Act Standards for Accessible Design.

¹ https://www.ada.gov/regs2010/2010ADAStandards/2010ADAStandards_prt.pdf.

Upon completion of all necessary modifications, the Kansas City #33 School District will obtain a statement or report from XXXXX XXXXX, XXXXX, or another qualified person or entity, stating whether the Kansas City #33 School District's (a) accessible parking at George Melcher Elementary School and (b) route from the accessible parking to the main accessible entrance at George Melcher Elementary School (on the northeast side of the building) meet the requirements of the 2010 Americans with Disabilities Act Standards for Accessible Design after completion of the plan required by Paragraph 2 of this Resolution Agreement. If the Kansas City #33 School District chooses an individual or entity other than XXXXX XXXXX, XXXXX, the Kansas City #33 School District shall provide OCR with the name and credentials of that individual or entity.

REPORTING REQUIREMENT 3: By December 15, 2021, the Kansas City #33 School District will provide OCR a copy of the statement or report from XXXXX XXXXX, XXXXX, or another qualified person or entity, stating whether the School District's (a) accessible parking at George Melcher Elementary School and (b) route from the accessible parking to the main accessible entrance at George Melcher Elementary School (on the northeast side of the building) meet the requirements of the 2010 Americans with Disabilities Act Standards for Accessible Design after completion of the plan required by Paragraph 2 of the Resolution Agreement. The Kansas City #33 School District will also provide supporting documentation and photos showing that implementation of the plan is complete.

The Kansas City #33 School District understands that by signing this Resolution Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this Resolution Agreement and that all actions taken to comply with the requirements of the Resolution Agreement are subject to OCR's review and approval. Further, the Kansas City #33 School District understands that during the monitoring of this Resolution Agreement, if necessary, OCR may visit the School District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the School District has fulfilled the terms of this Resolution Agreement and is in compliance with the regulations implementing Section 504 and Title II, which were at issue in this case. Upon completion of the obligations under this Resolution Agreement, OCR will close this case.

The Kansas City #33 School District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Resolution Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10) or judicial proceedings to enforce this Resolution Agreement, OCR shall give the Kansas City #33 School District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

XXXXX XXXXX XXXXX XXXXX, XXXXX
Kansas City #33 School District

Date