

Resolution Agreement
Dallas County R-I
OCR Case Number: 07-20-1043

The Dallas County R-I School District (District), Buffalo, Missouri, submits this Resolution Agreement (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.

Before OCR completed its investigation, the District agreed to voluntarily resolve this complaint pursuant to Section 302 of OCR's *Case Processing Manual*. OCR has not made any conclusions of law or issued a final determination with respect to this complaint. While the District agrees to take the following actions, nothing contained in this Agreement shall be construed as an admission on the part of the District to the allegations in the complaint.

The District agrees to take the following actions:

1. The District will develop a plan (Plan) to provide accessible parking and routes from the parking lots at Mallory Elementary School to the school building, and required signage, which complies with the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design (2010 ADA Standards).¹ In developing the Plan, the District should refer to the following sections of the 2010 Standards:

- 206 Accessible Routes
- 208 Parking Spaces
- 216.5 Signage for Parking (including 502.6 Identification, and 703.7.2.1 International Symbol of Accessibility)
- 404 Doors
- 406 Curb Ramps
- 502 Parking Spaces (including but not limited to sections 502.2 – Vehicle Spaces and 502.3 – Access Aisle)

The Plan will include a diagram or description of the accessible parking and routes to the school building, including any proposed alterations or additions to existing routes (such as signage to accessible entrances and additional spaces to be constructed and added), and the proposed timeline for completion of any such alterations or additions. The Plan will provide for at least one van-accessible space for use at each building and facility entrance that is designated as

¹ https://www.ada.gov/regs2010/2010ADAStandards/2010ADAStandards_prt.pdf. For additional guidance, please also see ADA compliance brief on accessible parking spaces at https://www.ada.gov/restriping_parking/restriping2015.html and the Access Board guidelines and standards at <https://www.access-board.gov/guidelines-and-standards/buildings-and-sites/about-the-ada-standards/guide-to-the-ada-standards/chapter-5-parking#van>. OCR is available to provide technical assistance to the District upon request.

accessible,² and will indicate the width of each accessible parking space(s) and adjacent access aisle(s).³

REPORTING REQUIREMENT 1: By September 30, 2020, the District will provide OCR with a copy of the Plan.

2. After consultation with OCR, and by no later than December 31, 2020 the District will begin implementation of the Plan.

REPORTING REQUIREMENT 2a: By January 15, 2021, the District will provide OCR with a written statement, by letter and/or email, confirming the District has started implementation of the Plan.

REPORTING REQUIREMENT 2b: The District will notify OCR in writing, by letter and/or email, within 30 calendar days of completing the Plan, and will provide supporting documentation and photos showing that implementation of the Plan is complete.

The District 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 and that all actions taken to comply with the requirements of the Agreement are subject to OCR's review and approval. Further, the District understands that during the monitoring of this Agreement, if necessary, OCR may visit the District, 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 this 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 Agreement, OCR shall close this case.

The District 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 District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

Superintendent
Dallas County R-I School District

8/30/20_____
Date

² Where more than one parking facility is provided on a site, the number of accessible spaces provided on the site shall be calculated according to the number of spaces required for each parking facility.

³ OCR is available to provide technical assistance to the District upon request.