

Resolution Agreement
Cole County R-1 School District
OCR Case Number: 07-20-1104

The Cole County R-1 School District (District), Russellville, 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.

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

The District agrees to take the following actions:

1. The District will develop a plan (Plan) to provide accessible parking and routes to and from the accessible parking for the Elementary/Middle School building, in conformity 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; 502.6 – Identification; and 703.7.2.1 – International Symbol of Accessibility

406 – Curb Ramps

502 – Parking Spaces (including but not limited to sections 502.2 – Vehicle Spaces and 502.3 – Access Aisle).

The Plan shall include a diagram with description of the existing parking, including any accessible parking, and routes to and from the Elementary/Middle School building, as well as the width of each existing accessible parking space(s) and adjacent access aisle(s) and location of signage and pavement markings. The Plan will also include any proposed alterations or additions to the existing parking, including addition of signage and pavement markings, for any accessible parking spaces, access aisles and signs, planned to be constructed, added or relocated, the proposed timeline for completion of any such alterations or additions, and will include the width of each accessible parking space(s) and adjacent access aisle(s) and location of signage.² The Plan will be designed to accomplish the necessary number of accessible parking spaces,

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>.

² OCR is available to provide technical assistance to the District upon request.

including van-accessible space(s), for use at each building and facility entrance that is designated as accessible.³

REPORTING REQUIREMENT 1: By July 20, 2020, the District will provide OCR a copy of the Plan developed in accordance with paragraph 1 of this agreement.

2. By August 3, 2020, the District will consult with OCR regarding the Plan developed by the District in accordance with paragraph 1 of this Agreement and will begin implementing the agreement forthwith.

REPORTING REQUIREMENT 2(a): By August 17, 2020, the District will provide OCR a written statement, by letter and/or email, confirming the District has started implementation of the Plan.

REPORTING REQUIREMENT 2(b): By August 17, 2020, the District will notify OCR in writing 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 will 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.

/S/
Superintendent
Cole County R-1 School District

June 19, 2020
Date

³ 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.