

**Resolution Agreement
Concordia USD 333
OCR Case Number: 07211012**

The Concordia USD 333 (District), Concordia, Kansas, submits this voluntary 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. By March 1, 2021, the District will, with the assistance of a qualified person or entity (consultant)¹, evaluate its current parking and accessible routes for the District's Junior High/Senior High School building and develop a plan (Plan) to provide accessible parking and routes to and from the accessible parking for the District's Junior High/Senior High School building, in conformity with the 2010 Americans with Disabilities Act (ADA) Standards for Accessible Design (2010 ADA Standards).² 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 Junior High/Senior High 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,

¹ For public entities in Kansas, the State of Kansas ADA Coordinator may be a resource: (785) 296-1389

² 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>.

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.³

The Plan will be designed to accomplish the necessary number of accessible parking spaces, including van-accessible space(s), for use at each building and facility entrance that is designated as accessible.⁴

2. By March 15, 2021, the District will begin implementing the Plan to make all necessary modifications to bring the parking and accessible routes for the District’s Junior High/Senior High School building into conformity with the 2010 ADA Standards.
3. Upon completion of all necessary modifications, the District will obtain a statement or report from the District’s consultant that was used for the evaluation required by paragraph 1 of this Agreement, stating whether the District’s parking and accessible routes for the District’s Junior High/Senior High School building meet the requirements of the 2010 ADA Standards after completion of the Plan.

Reporting Requirement 1: By February 1, 2021, the District will identify for OCR, the name and credentials of the individual or entity who was retained or consulted by the District to assist with the development and drafting of the Plan required by paragraph 1 of this Agreement.

Reporting Requirement 2: By March 1, 2021, the District will provide OCR a copy of the evaluation and a copy of the Plan developed in accordance with paragraph 1 of this Agreement.

Reporting Requirement 3: By April 1, 2021, the District will provide OCR notice of whether or not the District has started implementation of Plan developed in accordance with paragraph 1 of this Agreement.

a) If implementation has not started, the District will provide an explanation of why it has not started, and the District will provide OCR an expected start date and a timeline or schedule of deliverables under the Plan including an expected completion date. - OR

b) If implementation has started, the District will provide OCR a timeline or schedule of deliverables under the Plan including an expected completion date.

Reporting Requirement 4: By August 1, 2021, the District will provide OCR a copy of the statement or report from the District’s consultant that was used

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

⁴ 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.

