

Resolution Agreement

Sierra Vista Unified School District #68 OCR Case Number 08-16-1438

In order to resolve allegations in OCR case number 08-16-1438 filed against Sierra Vista Unified School District #68 (District) and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR), the District agrees to implement this Resolution Agreement. This case was initiated pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), and its implementing regulation at 34 C.F.R. §§ 104.21, 104.23 and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131–65, and its implementing regulation at 28 C.F.R. §§ 35.149, 35.151, which were at issue in this case.

The District will comply with the cited provisions of the 2010 ADA Standards for Accessible Design (Standards), 36 C.F.R part 1191, appendices B and D, when taking the actions required by this Agreement.

1. **Designated accessible wheelchair seating locations in the PAC.** The District currently provides 11 designated accessible wheelchair seating locations with adjacent companion seating. The District will expand the number of accessible wheelchair seating locations to 21. When doing so, the District will ensure that each wheelchair seating area has a minimum clear ground or floor space of 33 inches wide by 48 inches deep for forward or rear access, or 33 inches wide by 60 inches deep for side access. Ensure that the ground or floor at all wheelchair locations is level, firm, stable, and slip resistant; that wheelchair seating areas are an integral part of the fixed seating plan and are located so as to provide people with physical disabilities a choice of admission prices and lines of sight comparable to those available for members of the general public; that wheelchair seating areas adjoin an accessible route that also serves as a means of egress in case of emergency but do not overlap circulation paths; and that at least one fixed companion seat is provided next to each wheelchair seating space. Standards §§ 221, 802.

REPORTING REQUIREMENT 1: By March 1, 2018, the District will submit a written report to OCR summarizing the actions the District has taken to implement term 1. The District's report will include documentation satisfactory to OCR showing those actions. Such documentation will include, for example, detailed photographs showing the relevant measurements of any alterations or renovations, architectural plans, work orders, purchase orders, invoices and proof of efforts to secure funding/assistance for structural renovations or equipment.

2. **Assistive Listening System in PAC.** The District currently provides no assistive listening system in the PAC. The District will provide an assistive listening system of the District's choice.¹ At least 25%, but no fewer than two, of the receivers must be hearing aid

¹ For technical assistance in selecting an assistive listening system, the District can find guidance from the U. S. Access Board on its website at: <https://www.access-board.gov/research/completed-research/large-area-assistive-listening-systems/1-introduction> .

REPORTING REQUIREMENT 2: By March 1, 2018, the District will submit a written report to OCR summarizing the actions the District has taken to implement term 2. The District's report will include documentation satisfactory to OCR showing those actions. Such documentation will include, for example, detailed photographs showing the relevant measurements of any alterations or renovations, architectural plans, work orders, purchase orders, invoices and proof of efforts to secure funding/assistance for structural renovations or equipment.

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 a minimum of sixty (60) calendar days to cure the alleged breach.

<u>/S/</u>	8/29/15
Kriss Hagerl	Date
Superintendent	