

Resolution Agreement
Cheyenne Mountain School District
Complaint Number 08-18-1061

In order to resolve the physical accessibility allegations in Case Number 08-18-1061 filed against Cheyenne Mountain School District (District), the District agrees to implement the following Resolution Agreement. These complaint allegations were opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR) pursuant to Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 (Section 504) 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. §§ 12131–65, and its implementing regulation at 28 C.F.R. part 35, which prohibit discrimination on the basis of disability from recipients of Federal financial assistance from the Department and public entities, respectively.

The District's decision to enter into this Agreement is not an admission of liability or wrongdoing, nor shall it be construed as such.

1. The District develop a written remediation plan to provide an accessible route along the altered breezeway between the lower building and upper building that is protected from the weather, offers the same degree of security for people with mobility disabilities as others in the event of an emergency, and complies fully with the 2010 ADA Standards for Accessible Design. The plan will call for the accessible route to be complete within 3 months of OCR's approval.

REPORTING REQUIREMENT: By **July 1, 2018**, the District will submit the written remediation plan for OCR's review and approval.

2. Within 90 days of receiving OCR's written approval of its remediation plan, the District will implement the plan.

REPORTING REQUIREMENT: Within 90 days of receiving OCR's written approval of the remediation plan, the District will submit written reports to OCR summarizing the actions the District has taken pursuant to this Agreement. Reports 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 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. Further, the District understands that during the monitoring of the Agreement, if necessary, OCR may visit the District, interview District employees 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.

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.

For Cheyenne Mountain School District:

Dr. Walter Cooper, Superintendent

Date