

**Resolution Agreement**  
**Davis School District**  
**Complaint Number 08-19-1206**

In order to resolve the physical accessibility allegation in Case Number 08-19-1206 filed against the Davis School District (District), the District agrees to implement the following Resolution Agreement. This complaint allegation was 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 in education programs that receive Federal financial assistance from the Department. During the course of OCR’s investigation, before OCR issued a final determination, the District indicated its willingness to take steps necessary to ensure compliance with Section 504 and Title II. Pursuant to Section 302 of OCR’s *Case Processing Manual*, a complaint may be resolved when, before the conclusion of an investigation, a recipient expresses an interest in resolving the complaint, OCR believes that doing so is appropriate, and the remedies align with the allegations. The District’s decision to enter into this Agreement is not an admission of liability or wrong-doing, nor shall it be construed as such.

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

**At Columbia Elementary School:**

1. **Southwest exit.** On both sides of the ramp, provide handrails between 1¼ inches and 2 inches in diameter with a continuous gripping surface. Ensure that the handrails extend at least 12 inches beyond the top and bottom of the ramp parallel with the ground surface, that they are mounted between 34 inches and 38 inches above the ramp surface, that they will not rotate within their fittings, have a gripping surface that is not obstructed along the top and sides and that they have ends that are rounded or return smoothly to floor, wall, or post. 2010 Standards § 505.

**REPORTING REQUIREMENT:** By **September 30, 2019**, the District will submit a written report to OCR summarizing the actions the District has taken pursuant to this term. The District’s report will include documentation satisfactory to OCR showing those actions. Such documentation will include, for example, detailed photographs or videos showing the relevant measurements of any alterations or renovations, architectural plans, work orders, purchase orders, invoices or proof of efforts to secure funding/assistance for structural renovations or equipment.

2. **Interior doors.** For each interior door at all designated emergency exits, ensure that each door requires no more than 5 pounds of force to open. 2010 Standards § 309.4.

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3. **Girls restroom near room 32.** At the designated wheelchair-accessible stall, the District will provide:
  - a. Stall door handles on both sides of the door and a lock that can be operated with 5 lbf or less and that can be used with one hand and without tight grasping, pinching, or twisting of the wrist. [Note that if the District replaces the door to the designated accessible stall, it must be self-closing.] 2010 Standards §§ 604.8.1.2, 404.2.7, 309.4.
  - b. A flush control mounted on the "open" side of the toilet's clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. 2010 Standards §§ 604.6, 309.4.
  - c. A toilet paper dispenser with a centerline that is 7 to 9 inches from the front of the toilet with the outlet 15 to 48 inches above the finished floor and not behind the grab bars. If mounting above the side grab bar, the outlet must be at least 12 inches above the grab bar. 2010 Standards § 604.7, Fig 604.7.

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4. **Girls restroom near room 115.** At the designated wheelchair-accessible stall, the District will provide:
  - a. Stall door handles on both sides of the door that can be operated with 5 lbf or less and that can be used with one hand and without tight grasping, pinching, or twisting of the wrist. [Note that if the District replaces the door to the designated accessible stall, it must be self-closing.] 2010 Standards §§ 604.8.1.2, 404.2.7, 309.4.
  - b. A flush control mounted on the "open" side of the toilet's clear floor space; 44 inches or less above the finished floor; and requiring a maximum of 5 pounds of force to operate; or provide an automatic flush device. 2010 Standards §§ 604.6, 309.4.
  - c. A toilet paper dispenser with a centerline that is 7 to 9 inches from the front of the toilet with the outlet 15 to 48 inches above the finished floor and not behind the

grab bars. If mounting above the side grab bar, the outlet must be at least 12 inches above the grab bar. 2010 Standards § 604.7, Fig 604.7.

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5. **Ramps to portable buildings.** The District will provide ramps to the entrances of portable buildings 16 and 56 with a slope(s) not exceeding 1:12 (8.3%).

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#### **At Kaysville Junior High School:**

6. **Portable buildings.** The District will provide a ramp leading to the entrance of each portable building with a slope not exceeding 1:12 and a cross slope not exceeding 1:50; with level landings at least as wide as the ramp and 60 inches long at the top and bottom of the ramp; and with edge protection at least 2 inches high at the drop off sides. Provide handrails that are between 1¼ inches and 2 inches in diameter with a continuous, unobstructed gripping surface along both sides of the ramp, extending at least 12 inches beyond the top and bottom of the ramp parallel with the ground surface. Ensure that handrails are mounted between 34 inches and 38 inches above the ramp surface, with ends rounded or returned smoothly to the floor, wall, or post, and that they do not rotate within their fittings, and mounted at least 1½ inch from the side wall. Provide a level landing for each 30" of rise. 2010 Standards §§ 405, 302, 505.

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