

RESOLUTION AGREEMENT
Mesa Public Schools
OCR Case 08-21-1375

Mesa Public Schools (“District”) enters into this Agreement to resolve an allegation in the above-referenced case. The District assures the U.S. Department of Education, Office for Civil Rights (OCR) that it will take the following actions to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (“Section 504”), as amended, 29 United States Code (U.S.C.) Section 794, and its implementing regulation, at 34 Code of Federal Regulations (C.F.R.) Part 104, and Title II of the Americans with Disabilities Act (ADA) of 1990 (“Title II”), 42 U.S.C. Section 12131 et seq., and its implementing regulation, at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of federal financial assistance and public entities, respectively.

TERM: ACCESSIBLE PARKING

The District will ensure that its Broadway Transportation Yard (“Yard”) – located at 109 East Broadway Road, Mesa, Arizona 85210 – complies with the 2010 ADA Standards for Accessible Design.¹ Specifically, the Yard will comply with Sections 208.2, 403.5.1, 502, and 703.7.2.1 related to parking spaces.

Reporting Requirement: Within 30 calendar days of this Agreement being signed, the District will submit to OCR information and documentation demonstrating that the District has complied with the Term of this Agreement. The information and documentation will include at a minimum:

Overviews:

1. the total number of parking spaces in each parking lot;
2. a map or overhead photograph of the Yard with:
 - a. accessible parking spaces labeled by letter or number;
 - b. access aisles labeled by letter or number; and
 - c. notations for van parking spaces;

Accessible parking spaces:

3. photographs showing the entirety of each accessible parking space;
4. the width of each accessible parking space, measured consistent with 502.1;
5. photographs (from a distance and up-close) showing measurements of the width of each accessible parking space;
6. the length of each accessible parking space;
7. photographs (from a distance and up-close) showing measurements of the length of each accessible parking space;
8. photographs of a device showing the slope of each accessible parking space;

Access aisles:

9. photographs showing the entirety of each access aisle;
10. photographs of the markings of each access aisle;
11. the width of each access aisle, measured consistent with 502.3.1-2;
12. photographs (from a distance and up-close) showing measurements of the width of each access aisle;

¹ The Standards are available at <https://www.ada.gov/regs2010/2010ADASTandards/2010ADASTandards.htm>.

13. the length of each access aisle;
14. photographs (from a distance and up-close) showing measurements of the length of each access aisle;
15. the slope of each access aisle;
16. photographs of a device showing the slope of each access aisle;

Signage:

17. photographs (from a distance and up-close) of each accessible parking space sign;
18. the height of each identification sign, measured consistent with 502.6;
19. photographs (from a distance and up-close) showing measurements of the height of each identification sign;

Accessible routes:

20. photographs of each accessible route (*e.g.*, sidewalk) from accessible parking spaces (the photographs should be of the entire route);
21. photographs of where each access aisle meets an accessible route;
22. the width of each accessible route at each identification sign, measured from the base of the sign post to the opposite edge of the sidewalk; and
23. photographs (from a distance and up-close) showing measurements of the accessible route width at each sign post.

All measurements will be provided to OCR in inches.

The District will organize the photographs into folders. Specifically, there will be one folder for each accessible parking space and the folder name will be consistent with the parking space letter or number on the map or overhead photography required by #2 above.

The District will promptly and fully address OCR's feedback, if any, until the District receives notification from OCR that no further reporting is required for Term I.

UNDERSTANDINGS AND ACKNOWLEDGEMENTS

The District understands and acknowledges the following:

- 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. Sections 100.9-10), or judicial proceedings to enforce this Agreement, OCR will give the District written notice of the alleged breach and 60 calendar days to cure the alleged breach.
- The District agrees to provide the foregoing information in a timely manner in accordance with the reporting requirements of this Agreement.
- 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 are in compliance with Section 504, and its implementing regulation, and Title II, and its implementing regulation.
- Upon completion of the obligations under this Agreement, OCR will close this case.

For the District:

/s/

Dr. Andi Fourlis, Superintendent

10/28/21

Date