

Resolution Agreement
Jefferson County School District
OCR Case 08-21-1406

The Jefferson County School District (District), at Great Work Montessori School (School), without admitting to any violation of law, agrees to implement this Resolution Agreement to resolve the issues investigated by the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II) in the above-referenced OCR case.

The District agrees that all new construction or alteration of School facilities continuing or commenced after the date of this Agreement will comply with the 2010 Americans with Disabilities Act Standards for Accessible Design (2010 Standards).

1. Parking and Route Concerns

The School is in the process of finalizing plans for an expansion of the School and a redesign of the School's accessible parking spaces and exterior routes to the main entrance of the School. These plans will ensure compliance with the accessibility requirements of Section 504 and Title II. The District anticipates that these plans will be approved and will begin to be implemented before the start of the 2022-2023 school year. The District further anticipates that the alterations will be complete by summer 2024.

Reporting Requirement A:

Within 30 calendar days of the completion of the plan or by July 1, 2022, whichever is sooner, and *before* the plan begins to be implemented, the District will submit to OCR a draft of the plan for the redesign of the School's accessible parking spaces and exterior routes to the main entrance of the School. The District will promptly and fully address OCR's feedback, if any, until the District receives notification from OCR that the plan for the redesign of the School's accessible parking spaces and exterior routes to the main entrance of the School is approved and no further reporting is required for Term 1 – Reporting Requirement A.

Reporting Requirement B:

Every six months after OCR approves the plan for the redesign of the School's accessible parking spaces and exterior routes to the main entrance of the School, and until the plan is fully implemented, the District will submit written updates to OCR detailing the District's progress toward implementing the plan. The submissions shall include photographs, measurements, and/or other information necessary for OCR to determine compliance with the plan and 2010 Standards. OCR may also schedule visits to the School for inspections. 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 1 – Reporting Requirement B.

2. Interim Measures

The District will develop and implement a plan (Interim Plan) to ensure immediate accessibility at the School for individuals with disabilities during the period of implementation of Term 1. The Interim Plan will include, at a minimum, providing accessible exterior routes from the School's main entrance to accessible parking spaces and to any recreational fields and auxiliary buildings that are separate from the School's main building. The Interim Plan will also address how the District will notify relevant School and District staff and relevant students and parents/guardians of the Interim Plan and their roles in implementing the Interim Plan.

Reporting Requirement A:

By January 31, 2022, the District will provide to OCR a draft Interim Plan. The District will promptly and fully address OCR's feedback, if any, until the District receives notification from OCR that the Interim Plan is approved and no further reporting is required for Term 2 – Reporting Requirement A.

Reporting Requirement B:

Within 30 calendar days of receiving OCR's approval of the Interim Plan, the District will submit to OCR documentation demonstrating that the Interim Plan was implemented and disseminated to School/District staff and students and parents/guardians as planned. 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 2 – Reporting Requirement B.

Reporting Requirement C:

Within 30 calendar days of receiving OCR's approval of the Interim Plan, and every 30 calendar days thereafter until OCR approves the plan pursuant to Term 1, the District will submit to OCR a report on implementation of the Interim Plan. The reports will include relevant documentation such as purchase agreements, invoices, and photographs, as applicable. OCR may also visit the School to verify implementation of the Interim Plan. 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 2 – Reporting Requirement C.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the District understands that during the monitoring of this Agreement, OCR may visit the School, interview staff, 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 statute(s) and regulations implementing Section 504 and Title II, which were at issue in this case. The District understands that OCR will not close the monitoring of this Agreement until such time that OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the statutes and regulations at issue in the matter.

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

/s/

Tom McMillen
Community Superintendent

12/16/21

Date