

**West Las Vegas School District
Resolution Agreement
OCR Docket #08-23-1371**

In order to resolve the allegations in Case No. 08-23-1371, filed against West Las Vegas School District (District), the District voluntarily agrees to implement this Resolution Agreement (Agreement). This case was initiated pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, 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. §§ 12131-12134, 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.

During the course of OCR's investigation of the complaint, before OCR had made any findings, 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 (CPM), 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 wrongdoing as to the allegations of discrimination in this complaint, 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.

RESOLUTION ACTIONS

The District agrees to take the following actions:

a. At West Las Vegas Middle School (WLVMS)

The parking lot on the west end of the WLVMS building, which connects to the main, accessible entrance, currently has four, marked accessible parking spaces that are located on the shortest accessible route to the entrance. The District indicated that it was in the process of altering the four accessible parking spaces based on its own recent accessibility review in order to ensure compliance with the 2010 Standards. Specifically, the District indicated that it will be installing signage designating the spaces as reserved for persons with disabilities, and that it will be restriping the spaces to ensure that there is a proper number of access aisles, while maintaining the required number (four spaces, of which one is designated as van accessible).

For any alterations to the current accessible parking, which already meets slope and surface requirements, the District will: (1) ensure it maintains an adequate number of standard and van accessible parking spaces for the lot that are located on the shortest accessible route to the accessible entrance; (2) for standard accessible spaces, ensure the spaces are a minimum of 96 inches wide and served by access aisles at least 60 inches wide; (3) ensure that van accessible spaces are either a minimum of 132 inches wide, served by an access aisle at least 60 inches wide, or a minimum of 96 inches wide, served by an access aisle at least 96 inches wide; (4)

ensure access aisles are marked to discourage parking in them; and, (5) ensure that at all spaces are designated as reserved for persons with disabilities, that vertical signs with the International Symbol of Accessibility located a minimum of 60 inches above the ground surface are provided, and, that, at the van accessible space, an additional “Van-Accessible” designation on the sign is provided that complies with 2010 Standards §§ 208, 302.1, 502, 703.7.2.1.

b. At West Las Vegas High School (WLVHS)

The District currently provides 14 accessible parking spaces at WLVHS that connect to the school’s main entrance.

For the 14 parking spaces, which already meet size, slope, and surface requirements, the District will ensure that the spaces are designated as reserved by providing a vertical sign located a minimum of 60 inches above the ground surface, showing the International Symbol of Accessibility and identifying van parking as “van accessible.” All new signage installed by the District under this term will comply with the requirements of the 2010 ADA Standards §§ 502.6, 703.7.2.1.

REPORTING REQUIREMENTS:

- a) By October 15, 2023, the District will submit a written report to OCR summarizing the actions the District has taken pursuant to the above terms. The District’s report will include documentation satisfactory to OCR showing those actions taken. Such documentation will include, for example, detailed photographs or videos showing the relevant measurements of any alterations, work orders, purchase orders, and invoices.
- b) The need for additional reports to OCR will be determined based on the District’s October 15, 2023, report and will be required until the District demonstrates the completion of the Terms of this Agreement.

GENERAL REQUIREMENTS

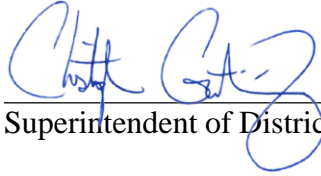
The District understands that, by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the District understands that during the monitoring of this Agreement, if necessary, OCR may visit the 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 and obligations of the Agreement.

The District also understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has demonstrated compliance with all the terms of this Agreement and is in compliance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), and its implementing regulation at 28 C.F.R. Part 35, which were at issue in this review. Upon the District’s satisfaction of the commitments made under the Agreement, OCR will close the case.

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the Agreement and/or applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

The Agreement will become effective immediately upon the signature of the District's representative below.

For the District:

A handwritten signature in blue ink, appearing to be "Cheryl G. [unclear]", written over a horizontal line.

Superintendent of District or Superintendent's Designee

September 19, 2023

Date