

Resolution Agreement
Chico Unified School District
09-15-1081

The Chico Unified School District (District), without admitting to any violation of law, agrees to implement this Resolution Agreement to resolve the issue 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 number.

The District agrees that all new construction or alteration of District facilities commenced from the date of this Agreement forward will comply with the Federal accessibility design standard in place at the time of new construction or alteration, currently the 2010 Americans with Disabilities Act Standards for Accessible Design (2010 standards).

- I. Administration Building Restroom
 - a. The District will construct an accessible unisex restroom in the Administration Building. The unisex restroom will be located on an accessible route.
 - b. As an interim measure while this unisex restroom is being constructed, the District will post signage on the exterior of the existing two restrooms in the Administration Building indicating that an accessible restroom is available in Annex C. The signage will describe the accessible route to reach Annex C from the Administration Building. The District will ensure that Annex C is unlocked during the Administration Building's hours of operation.
- II. Annex C Restroom
 - a. The District will modify the Annex C designated accessible restroom in accordance with the 2010 Standards in the following ways:
 - i. relocate the trash can and the sanitary disposal receptacle so that the approach to the toilet and the rear grab bar is not obstructed;
 - ii. move the toilet seat cover holder to an accessible height and location;
 - iii. ensure that the paper towel holder is set at an accessible height for a forward reach;
 - iv. ensure that the toilet paper dispenser is located within an accessible reach range from the toilet;
 - v. insulate the water supply and drain pipes under the lavatory;
 - vi. ensure that the lavatory faucet controls are accessible;
 - vii. relocate the soap dispenser to an accessible height;
 - viii. ensure that the mirror is set at an accessible height; and
 - ix. replace the exterior signage to indicate that the restroom is an accessible unisex restroom.

III. Reporting

- a. By May 15, 2015, the District will confirm to OCR in writing that provision II. of this Agreement has been fully implemented, and will provide photographs of the exterior and interior of the modified restroom in Annex C.

By May 15, 2015, the District will confirm to OCR in writing that provision I.b. of this Agreement has been fully implemented, and will provide a photograph of the signage posted on the exterior of the Administration Building restrooms.

- b. By October 30, 2015, the District will confirm to OCR in writing that provision I.a. of this Agreement has been fully implemented, and will provide photographs of the exterior and interior of the accessible unisex restroom in the Administration Building.

IV. Monitoring

- a. 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.
- b. 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 of this Agreement and is in compliance with the regulation implementing Section 504, at 34 C.F.R. §§104.21-104.23, and Title II, at 28 C.F.R. §§35.149-35.151, which were at issue in this case.
- c. The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with these regulations with respect to the issues raised by this complaint.
- d. 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.

_____/s/_____
Kelly Staley, Superintendent

_____/04/10/2015_____
Date