

Resolution Agreement
San Marino Unified School District
OCR Case No. 09-18-1069

In order to resolve the findings in the above-referenced complaint to 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, as amended (Title II), the San Marino Unified School District (District) agrees to take the actions outlined in this Resolution Agreement (Agreement).

I. Accessible Features

- A. The District will provide accessible seating on the home side of the football field at Titan Stadium (the Field) at San Marino High School (the School). Specifically, the District will add an accessible seating platform directly in front of the center section of the home bleachers. The platform will be at least fifty feet long and will be served by a ramp. The platform will be at a height that will provide individuals with disabilities with a line of sight that is comparable to the line of sight for non-disabled individuals sitting in the bleachers.
- B. The District will provide accessible restrooms on both the home and visitors' sides of the Field for all public events at the Field.
- C. The District will ensure that all accessible parking spaces serving the Field are identified by signage consistent with Sections 216.5 and 502.6 of the 2010 Standards, including signage for van-accessible parking spaces.
- D. The District shall ensure that individuals with disabilities can obtain information as to the existence and location of accessible services, activities, and facilities at the field, including signage identifying accessible seating locations and other accessible features.
- E. All new construction or alterations required by this section 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).

II. Monitoring and Reporting

- A. By June 30, 2019, the District will submit a proposed plan to OCR for review and approval regarding the required elements in Sections I.A through I.D, including a proposed design for the platform in Section I.A.
- B. By January 1, 2020, the District will submit a report to OCR, along with supporting documentation, confirming that the items identified in Section I are completed and accessible to individuals with disabilities. Documentation will include photographs

and documentation from the individuals or entities that performed the changes and verification that the items comply with the relevant accessibility standards.

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 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 Section 504 and Title II and their implementing regulations, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this case.

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/_____

Loren Kleinrock
Superintendent, San Marino Unified School District

_____03/06/2019_____

Date