

Resolution Agreement
Las Virgenes Unified School District
OCR Case No. 09-18-1081

In order to resolve the findings and concerns identified with respect to 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 Las Virgenes Unified School District (District) agrees to take the actions outlined in this Resolution Agreement (Agreement).

I. Football Field

- A. The District will ensure that the football field (the Field) at Agoura High School (the School) will have the following accessible features meeting the applicable technical provisions of the 2010 Americans with Disabilities Act Standards for Accessible Design (2010 Standards):
- i. Consistent with § 208 and § 502 of the 2010 Standards, the District will provide one van accessible parking spot on the northwest entrance to the Field and a second van accessible parking space adjacent to the ticket booth at the east entrance for the Field.
 - ii. At least one accessible route of travel to the facility entrance from the accessible parking, consistent with § 206.2.1 and § 206.3 of the 2010 Standards.
 - iii. At least one accessible route of travel to the facility from the public sidewalk on the northwest corner of the facility to the Field, consistent with § 206.2.1 and § 206.3 of the 2010 Standards, by removing the poles that were blocking the accessible route of travel to that entrance to the Field.
 - iv. Consistent with §§ 221 and 802.3 of the 2010 standards, the District will renovate their visitors' bleachers to provide nine wheelchair accessible spaces and nine adjacent companion seats.
 - v. One designated aisle seat consistent with Sections 221.4 and Section 802.4 of the 2010 Standards in the section of the home bleachers that was modified in 2016.
- B. The District will develop procedures to ensure that all events at the football field are accessible and usable for individuals in wheelchairs who would normally sit in the home bleachers for those events. The procedures shall ensure that the seating options for such individuals are safe, provide unobstructed views, and are integrated with the experience of other spectators to the maximum extent possible.
- C. 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.

II. Restroom in Room XXXX

- A. The District will ensure that the sink in the restroom is installed consistent with the height requirement in Section 606.3 of the 2010 Standards.
- B. The District will ensure that the hand dryer in the restroom is installed within an appropriate reach range, consistent with Sections 308 and 309.3 of the 2010 Standards.

III. Classroom Access for the Student

- A. The District will ensure that each classroom used by the Student for the 2018-19 school year has an accessible path of travel from the Student's desk to the teacher's desk and to the white board consistent with Section 403.5 of the 2010 Standards. If the classroom is arranged such that other students in the class are not able to approach and write on the white board, an accessible path of travel to the white board is not required.

IV. Outdoor Tables

- A. The District will ensure that the School has sufficient accessible seating at its outdoor tables consistent with Section 226 of the 2010 Standards, such that five percent of the seating spaces are accessible pursuant to Section 902 of the 2010 Standards.

V. Reporting

- A. By April 1, 2019, the District will submit its plan to OCR for review and approval regarding the changes required in Section I.A, I.B, and I.C. The plan will provide a timeline for the implementation of each of the elements required in Section I. Following the implementation of each element of the plan, the District will submit a report to OCR, along with supporting documentation, confirming the District's compliance with the items in Section I. Documentation will include photographs and documentation from the individuals or entities that performed the changes. With respect to Section I.A.i, the District will provide information about how the District plans to accommodate events at the Field where additional accessible parking may be needed. With respect to the procedures described in Section I.B, within sixty days after approval of the procedures, the District will produce information showing that the procedures have been implemented, including documentation that the procedures have been distributed to staff responsible for implementing the procedures.
- B. By March 1, 2019, the District will submit documentation sufficient to show that the District has complied with Sections II, III, and IV. As to Section III, the documentation will include photographs of each classroom and documentation showing that the District has measured the clear width of the path of travel in each classroom and verified that the path of travel is compliant with § 403.5 of the 2010 Standards. As to Section IV, the District will submit documentation sufficient to

show that the District has complied with Section IV, including photographs of the tables and information about how many accessible seating spaces are available, how many inaccessible seating spaces are available, and the locations of those tables.

VI. Monitoring

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/_____
Karen Kimmel, Assistant Superintendent - Business
Las Virgenes Unified School District

_____01/17/2019_____
Date