

Resolution Agreement

The Morgan Hill School District (District) without admitting to any violation of law, agrees to implement this Resolution Agreement (Agreement) to resolve the allegations opened for investigation 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 (Title II) and their implementing regulations in the above-referenced OCR case number.

I. Accessible Features

The District will ensure that the football stadium at Live Oak High School (School) addresses the following issues, complying with the federal accessibility design standard in place at the time of new construction or alteration, currently the following applicable technical provisions of the 2010 Americans with Disabilities Act Standards for Accessible Design.¹

- A. The District will analyze the safety and potential obstructions from the designated accessible seating area on the track, including during scheduled events that use the track itself.
- B. Using the analysis from Section I.A., if the District identifies concerns with the safety or potential obstructions from the designated accessible seating area on the track, the District will take steps to ensure that they are providing a safe, unobstructed view seating area for disabled individuals, consistent with §206.2.7 and §221.
- C. The District shall ensure that individuals with disabilities can obtain information as to the existence and location of accessible facilities at the stadium, including signage identifying accessible seating locations and a safe accessible route from the accessible entrance to the stadium to each accessible space within the stadium, consistent with §216.

II. Reporting Requirements

- A. Within three months after the District reopens the School's campus, the District will submit a proposed plan to OCR for review and approval regarding the required elements in Sections I.A through I.C, including the proposed plan for the accessible seating in Section I.B, if concerns are identified under Section IA.

¹ Available at <http://www.ada.gov/regs2010/2010ADASTandards/2010ADASTandards.htm>

- B. Within nine months after the District reopens the School’s campus, 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 the Agreement it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. Further, the District understands that during the monitoring of the resolution 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. 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 resolution agreement and/or the 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.

_____/s/_____
Kristen Perez
Deputy Superintendent
Morgan Hill School District

08/05/2020
Date