

RESOLUTION AGREEMENT
Virginia Beach Public Schools
OCR Case No. 11-15-1318

Virginia Beach Public Schools (the Division) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 11-15-1318. This Agreement does not constitute an admission by the Division of a violation of Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (Title II), or any other law enforced by OCR.

By August 15, 2016, The Division will ensure that the following changes at the XXXX (the School) occur:

1. The outdoor chin-up apparatus is compliant with the 2010 Standards or removed;
2. The ground surface of the outdoor classroom, including the accessible route to the accessible seating, is compliant with the 2010 Standards §§ 302, 402, and 403;
3. The ramps and landings for Portable 503, Portable 505 and the main entrance are compliant with the 2010 Standards §§ 302, 402, 403, and 405.
4. A plan is created to ensure accessibility of the baseball field should the need arise, or as appropriate move activities or programs currently held at the baseball field to an accessible location.

Reporting Requirements:

- a. By August 31, 2016, the Division will provide OCR documentation that the changes in items 1-3 have been completed; and
- b. By August 31, 2016, the Division will provide for OCR's review and approval its draft plan described above in item 4. The Division will wait for OCR's approval prior to implementing the plan.

The Division understands that OCR will not close the monitoring of this Agreement until OCR determines that the Division has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504 and Title II at 34 C.F.R. Part 104 and 28 C.F.R. Part 35.

The Division understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the Division understands that during the monitoring of this Agreement, OCR may visit the Division, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Division has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II, at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which were at issue in this case.

The Division 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 Division written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

By: _____/S/_____ Date: _____5/24/2016_____

Superintendent Spence or Designee