

RESOLUTION AGREEMENT
Jackson County Public Schools
OCR Complaint No. 11-18-1304

Jackson County Public Schools (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-18-1304. This Agreement does not constitute an admission by the District of a violation of Section 504 of the Rehabilitation Act of 1973 (Section 504) or Title II of the Americans with Disabilities Act of 1990 (Title II), or any other law enforced by OCR.

The District commits to modifying the areas identified in this Agreement and assures that upon successful completion, these areas, routes and the activities accessed using these routes will be accessible to individuals with disabilities. All modifications, renovations, and/or additions to the areas identified in this Agreement will be made accessible in accordance with the U.S. Department of Justice 2010 ADA Standards for Accessible Design, 28 C.F. R. Part 36, Appendix A.

1. By March 1, 2019, the District will provide adequate designated accessible seating on the upper/top section of the Smoky Mountain High School's (the School) baseball facility. The section will have appropriate signage, ground and floor surfaces, and connection to an accessible route to the accessible bathroom facility installed pursuant to Item 3 of this Agreement and the accessible parking spaces provided pursuant to Item 2 of this Agreement.
2. By March 1, 2019, the District will provide adequate accessible parking spaces, including van accessible parking, to serve the School's baseball facility. The accessible parking spaces will be on the upper/top section adjacent to the School's baseball facility during the baseball season. All of these spaces will have appropriate signage, access isles and connection to an accessible route, including directional signage, to the designated accessible seating provided pursuant to Item 1 of this Agreement.
3. By March 1, 2019, the District will install an ADA compliant portable bathroom adjacent to the upper/top section of School's baseball facility during the School's baseball season. The ADA compliant bathroom section will have appropriate signage, and connection to an accessible route to the accessible seating provided pursuant to Item 1 of this Agreement and the accessible parking spaces provided pursuant to Item 2 of this Agreement.

Reporting Requirement:

By January 1, 2019, the District will submit to OCR, for review and approval, its proposal, including a prospective timeframe, to complete the work set forth in paragraph 1-3 above. The District will receive OCR's approval prior to implementing the proposal.

By March 15, 2019, the District will provide OCR with documentation verifying it has fulfilled the commitments in paragraph 1-3 above, including photographs with slope

measurements, work orders or invoices and other documentation. OCR may schedule an on-site visit to inspect the renovations, with reasonable notice to the District.

4. By August 1, 2019, the District will provide adequate designated accessible seating on the field level of the School's baseball facility. The section will have appropriate signage, and connection to an accessible route to the accessible bathroom facility installed pursuant to Item 6 of this Agreement and the accessible parking spaces provided pursuant to Item 5 of this Agreement. The District will also ensure that it is providing one wheelchair space in team or player seating areas serving areas of the baseball activity.
5. By August 1, 2019, to serve the School's baseball facility, the District will provide adequate accessible parking spaces, including van accessible parking, adjacent to the field level of the School's baseball facility. All of these spaces will have appropriate signage, access isles and connection to an accessible route, including directional signage, to the designated accessible seating provided pursuant to Item 4 of this Agreement and the baseball dugouts. The District will also install appropriate directional signage on NC Highway 107 to these accessible parking spaces.
6. By August 1, 2019, the District will convert the bathrooms on the field level of the School's baseball facility to a single unisex ADA compliant bathroom. If needed, the School will also install a portable ADA compliant bathroom. The ADA compliant bathroom(s) will have appropriate signage, and connection to an accessible route to the accessible seating provided pursuant to Item 4 of this Agreement and the accessible parking spaces provided pursuant to Item 5 of this Agreement.
7. By August 1, 2019, the District will install an accessible route of travel on the field level from the field level accessible parking spaces to all facilities located on the field level, including the accessible seating, accessible bathroom(s) dugouts and batting cages.

Reporting Requirement:

By February 1, 2019, the District will submit to OCR, for review and approval, its proposal, including a prospective timeframe, to complete the work set forth in paragraph 4-7 above. The District will receive OCR's approval prior to implementing the proposal.

By August 30, 2019, the District will provide OCR with documentation verifying it has fulfilled the commitments in paragraph 4-7 above, including photographs with slope measurements, work orders or invoices and other documentation. OCR may schedule an on-site visit to inspect the renovations, with reasonable notice to the District.

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 the Agreement. Further, 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. Upon the District's satisfaction of the commitments made under this Agreement, OCR will close 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 will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

By: _____ Date: _____
Dr. Kimberly Elliott, Superintendent
Jackson County Public Schools