

RESOLUTION AGREEMENT
Pitt County Schools
OCR Complaint No. 11-21-1209

Pitt County Schools (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve the allegations investigated in Office for Civil Rights (OCR) Complaint No. 11-21-1209. This Agreement does not constitute an admission by the District 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.

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 (2010 ADA Standards), 28 C.F.R. Part 36, Appendix A.

1. By January 31, 2022, the District will provide adequate designated accessible seating at the softball facility at Farmville Central High School's, which will be referred to as the School, softball facility. The accessible seating must be compliant with the 2010 ADA Standards under Sections 221 and 802, including providing adequate sight lines, proper widths, and appropriate companion seats. The seating will have appropriate signage, ground and/or floor surfaces, and connection to an accessible route to the concession stand, 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 January 31, 2022, the District will provide adequate accessible parking spaces, including van accessible parking, to serve the School's softball facility. The accessible parking spaces will be located adjacent to the softball field during the softball season and at the Farmville Middle School. 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. Under the 2010 ADA Standards, the District will provide a safe accessible route from the accessible parking to the accessible seating and from the accessible seating to the bathrooms and concession stand under Section 206 and Chapter 4 (Sections 401-406 and 410).
3. By January 31, 2022, the District will install portable bathroom adjacent to the School's softball facility during the School's softball baseball season or when the softball facility is in use that complies with the 2010 ADA Standards under Chapter 6 (Section 603-606). The bathroom will have appropriate signage, and connection to an accessible route to the accessible seating and concession stand provided pursuant to Item 1 of this Agreement and the accessible parking spaces provided pursuant to Item 2 of this Agreement.

Reporting Requirement:

By December 15, 2021, 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 January 31, 2022, 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 for OCR's review and approval. OCR may schedule an on-site visit to inspect the renovations, to determine compliance with the 2010 ADA Standards, with reasonable notice to the District.

4. The District will construct its new softball facility at the School prior to the beginning of the 2022 – 2023 softball season. The District will construct this facility in full compliance with the 2010 ADA Standards.

Reporting Requirement:

By September 1, 2022, the District will submit to OCR, its proposal, including a prospective timeframe, to complete the work set forth in paragraph 4 above.

By January 1, 2023, the District will provide OCR with documentation verifying it has fulfilled the commitments in paragraph 4 above, including photographs with slope measurements, work orders or invoices and other documentation for OCR's review and approval. OCR may schedule an on-site visit to inspect the renovations, to determine if the new softball facility is compliant with the 2010 ADA Standards, 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 and obligations of this Agreement. Upon the District's satisfaction of the terms and obligations of this Agreement, OCR will close this case.

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statutes and regulations. Before initiating such proceedings, OCR will give the District written notice of the alleged breach and 60 calendar days to cure the alleged breach.

By: _____
Dr. Ethan Lenker, Superintendent
Pitt County Schools

Date: _____