

RESOLUTION AGREEMENT

XXXXXX

OCR Case No. 11-22-1517

XXXXXXX (the School Division) agrees to fully implement this Resolution Agreement to resolve the allegation investigated in Office for Civil Rights (OCR) Case No. 11-22-1517. This Agreement does not constitute an admission by the School Division of a violation of Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II), or any other law enforced by OCR.

As it pertains to the gymnasium at XXXXXX (the School), all references to renovations or any such similar terms as referred to in this agreement, as it pertains to the gymnasium, shall comply with the 2010 ADA Standards for Accessible Design (the 2010 Standards).

Action Item 1

The School Division informed OCR that it intends to complete renovations of the School's gymnasium by the XXXX. In so doing, the School Division will ensure that the School's gymnasium, including but not limited to its bleachers and handrails, fully complies with the 2010 standards.

Reporting Requirement

By XXXXXX, the School Division will submit to OCR documentation that the renovation identified in Action Item 1 has been completed. Documentation should include visual representations that the work has been completed (e.g. photographic and video documentation). Any visual representations should include sufficient detail to demonstrate that the modifications were made consistent with the 2010 ADA Standards. OCR reserves the right to visit the School Division to ensure that the completed renovations are consistent with the 2010 standards.

Action Item 2

If the School Division plans to use the gymnasium at the School for any program, activity, or service prior to the completion of the renovations described in Action Item 1, the School Division will develop a plan prior to using the gymnasium to ensure that individuals with disabilities can access and fully participate in any programming held in the School's gymnasium. The plan will include a description of how the School Division intends to communicate this information to individuals with disabilities intending to access the program., activity, or service.

Reporting Requirements:

1. For any event that the School Division plans to hold in the gymnasium prior to the installation of the ADA compliant bleachers, it will provide OCR with a copy of the

proposed plan referenced in Action Item 2 at least 30 calendar days prior to the program, activity, or service for OCR's review and approval.

2. Within 5 calendars days of the implementation of the plan described above, the School Division will provide OCR with a copy of the notice or other means it uses to communicate the plan to the public.

By signing this Agreement, the School Division agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. During the monitoring of this Agreement, if necessary, OCR may visit the School Division, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the School Division has fulfilled the terms of this Agreement.

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

The School Division understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice for judicial proceedings to enforce the specific terms of this Agreement and the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the School Division written notice of the alleged breach and 60 calendar days to cure the alleged breach.

By: _____ Date: February 14, 2023
Frederick County Public Schools