

RESOLUTION AGREEMENT
Olentangy Local Schools
OCR Docket #15-16-1494

Olentangy Local Schools (the District) submits this Resolution Agreement to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve the above-referenced complaint and to ensure the District's compliance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, as well as with Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35.

The District voluntarily agrees to take the actions listed below in order to provide individuals with disabilities, in particular those with mobility impairments, access to the programs using the baseball diamonds at the District's Berkshire Middle School, Hyatts Middle School, and Shanahan Middle School (the Schools). Modifications made pursuant to this agreement will be done in accordance with the 2010 ADA Standards for Accessible Design (the 2010 ADA Standards).

Action Step

By **April 30, 2017**, the District will install accessible routes to the baseball diamonds at each of the Schools in compliance with the 2010 ADA Standards set forth in Section 206 (Scoping Requirements) and Chapter 4 (Accessible Routes). If weather or other catastrophic conditions prevent the District's contractors from completing this step by April 30, 2017, the District will contact the OCR investigator assigned to this complaint by April 20, 2017, to request an extension which will not be unreasonably denied.

Reporting Requirement

By **May 15, 2017**, the District will submit documentation to OCR, including but not limited to photographs, work orders, purchase orders, and project plans verifying implementation of the Action Step above. OCR may conduct an onsite visit to the District to confirm full implementation of these items in accordance with the 2010 ADA Standards.

General Requirements

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with Section 504 and its implementing regulation at 34 C.F.R. §§ 104.21-104.23, and Title II and its implementing regulation at 28 C.F.R. §§ 35.149-35.151, which were at issue in this case.

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 this 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 and is in compliance with Section 504 and its implementing regulation at 34 C.F.R. §§ 104.21-104.23, and Title II and its implementing regulation at 28 C.F.R. §§ 35.149-35.151.

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 shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

/s/

12/20/2016

Olentangy Local Schools
Superintendent or Designee

Date