

**Triway Local School District  
Resolution Agreement  
OCR Docket #15-20-1174**

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

The provisions in the Agreement concern the following District buildings/facilities:

- A. Parking for main and/or accessible entrance, and related signage at Shreve Elementary (Shreve).
- B. Parking for main and/or accessible entrance, and related signage at Wooster Township Elementary (Wooster).
- C. Gymnasium floor access and related signage at Triway High School (High School).
- D. Accessible seating, walkway to accessible seating, and related signage at the High School stadium.

The District agrees to take the following actions:

1. By **March 31, 2023**, the District will either (a) develop a plan to make each service, program and activity conducted in Shreve, Wooster, and the High School gymnasium, when viewed in their entirety, readily accessible to individuals with disabilities, with respect to the elements listed in A, B, and C (above); or (b) make structural changes/alterations to the elements listed in A, B, and C (above), to ensure that each element is readily accessible to and usable by individuals with disabilities.
  - a. If the District chooses to develop a plan to make each service, program and activity conducted in Shreve, Wooster, and the High School gymnasium, when viewed in its entirety, readily accessible to individuals with disabilities, with respect to the elements listed in A, B, and C (above), the District will provide a written plan to OCR demonstrating how it will accomplish this task/these tasks, including, but not limited to, any temporary, interim steps the District will take to provide access until the full plan can be implemented.

Such plan may include a variety of methods for providing program access, such as the redesign of equipment, reassignment of classes, programs or other services to accessible buildings or parts of a building, or any other methods that result in making the services, programs, and/or activities offered in the respective building(s)/facility(ies) readily accessible to individuals with mobility

impairments. The plan will give priority to those methods that service individuals with a disability in the most integrated setting appropriate.

- b. If the District chooses to make structural changes/alterations to ensure that the elements listed in A, B, and C (above) are readily accessible to and usable by individuals with disabilities, the District will provide a written plan to OCR outlining the structural changes/alterations it will make, with anticipated dates of completion. The plan should include any temporary, interim steps the District will take to provide access until its full plan can be implemented. Any structural changes/alterations must comply with the 2010 Americans with Disabilities Act Standards for Accessible Design (2010 ADA Standards).

**Reporting Requirements:** By **March 31, 2023**, the District will advise OCR whether it will proceed with Item 1(a) and/or Item 1(b) of the Agreement regarding the elements listed in A, B, and C (above). Nothing herein shall prevent the District from electing Item 1(a) for A, B and/or C, and Item 1(b) for any elements listed in A, B and/or C for which it did not select Item 1(a).

If the District chooses Item 1(a), the District will provide OCR a list of each service, program and activity conducted in Shreve, Wooster, and the High School gymnasium; and a written plan demonstrating how it will make each service, program and activity conducted in the buildings/structures, when viewed in its entirety, readily accessible to individuals with disabilities according to Item 1(a).

If the District chooses Item 1(b), the District will provide a written plan to OCR outlining the structural changes/alterations it will make to Shreve, Wooster, and/or the High School gymnasium pursuant to Item 1(b), with anticipated dates of completion, and how such changes/alterations will make the building/structure accessible to and usable by individuals with disabilities.

2. The District will implement its plan pursuant to Item 1(a) and/or Item 1(b), as delineated in Paragraph 1 for each element listed in A, B and C (above).

**Reporting Requirements:** By **August 31, 2023**, the District will provide OCR with documentation (e.g., copies of paid invoices, photographs) showing that the District implemented its plan under Item 1(a) and/or Item 1(b), as applicable.

If the District chooses Item 1(b) and each structural change/alteration is not yet complete according to the plan, the District will provide OCR with information documenting the status of its implementation to date on **August 31, 2023**, and submit additional documentation by **January 31, 2024**, confirming completion of each structural change/alteration identified in the plan.

OCR may schedule an onsite visit to confirm the implementation of the District's plan under Item 1(a) and/or Item 1(b), as applicable.

3. By **May 31, 2023**, the District will submit a plan to modify the High School stadium, as described in element D above, to comply with the 2010 ADA Standards, to include a sufficient number of wheelchair spaces and companion seats, appropriate signage, and an accessible route to the seating from a site arrival point.

**Reporting Requirements:** By **May 31, 2023**, the District will submit documentation to OCR of its plan to modify the stadium pursuant to Item 3. The plan shall identify the modifications that will be made to ensure that element D, as described above, is readily accessible to and usable by persons with disabilities in accordance with Section 504, Title II, and the 2010 ADA Standards. The documentation submitted to OCR may include, but is not limited to, any of the following: pictures, work orders, purchase orders, project plans, and, if necessary, interim plans.

Within 180 calendar days of OCR's approval of the District's plan, the District will provide OCR with documentation (e.g., copies of paid invoices, photographs) showing that the District implemented its plan under Item 3. If each structural change/alteration is not yet complete according to the plan, the District will provide OCR with information documenting the status of its implementation to date, and submit additional documentation no later than **August 31, 2024**, or **365 calendar days** after OCR's approval of the District's plan, whichever is later, confirming completion of each structural change/alteration identified in the plan.

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 and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the Agreement and/or Section 504 and Title II and their implementing regulations, 34 C.F.R. Part 104 and 28 C.F.R. Part 35. Before initiating such proceedings, OCR will give the District written notice of the alleged breach and 60 calendar days to cure the alleged breach.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has demonstrated compliance with all the terms of this Agreement and is in compliance with Section 504 and Title II, which were at issue in this complaint.

The Agreement will become effective immediately upon the signature of the District's representative below.

/s/

02/15/2023

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Superintendent or Designee

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Date