

**Canal Winchester Local Schools
Resolution Agreement
OCR Docket #15-21-1377**

Canal Winchester Local Schools (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 District agrees to resolve this complaint prior to the completion of OCR's investigation pursuant to Section 302 of OCR's Case Processing Manual. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District.

The District agrees to take the following actions:

1. By August 1, 2022, the District will modify its high school football stadium, a.k.a., Mike Locke Stadium (the Stadium), to provide wheelchair spaces and companion seats, and accessible routes and/or ramps, in compliance with the 2010 ADA Standards for Accessible Design (the 2010 ADA Standards).¹ By November 1, 2022, the District will modify its high school baseball and softball fields to provide wheelchair spaces and companion seats, and accessible routes, in compliance with the 2010 ADA Standards.

Reporting Requirement: By August 1, 2022, the District will provide OCR with documentation showing that the District implemented Item 1 with respect to the high school football stadium. By November 1, 2022, the District will provide OCR with documentation showing that the District implemented Item 1 with respect to the high school baseball and softball fields. Documentation will include photographs, work orders, purchase orders, measurements, or other documentation. OCR may conduct an onsite visit of the Stadium and fields to confirm the District's full implementation of this item and adherence to the 2010 ADA Standards.

2. By April 1, 2022, the District will develop and implement a detailed interim plan for how it will make its programs and activities at the Stadium, and its high school baseball and softball fields, when viewed in their entirety, accessible to and usable by persons with disabilities participating in the programs, services and activities housed at the Stadium and its high school baseball and softball fields pending the completion of modification required by Item 1 of this Agreement. The interim plan will comply with the Section 504 and Title II regulations and include any temporary, interim measures that will be employed to ensure ready access for persons with disabilities, as well as the anticipated duration of such measures. The District may comply with this provision by such means as reassignment of activities or other services to accessible locations, alteration of existing facilities, construction of new facilities, or other means that result in making the District's programs and activities accessible to individuals with disabilities. Alteration or

¹ The applicable sections include, but are not limited to, Sections 221 (assembly areas), 206 and 402 (accessible routes), 403 (walking surfaces), 405 (ramps), and 802 (wheelchair spaces and companion seats) of the 2010 ADA Standards.

construction of facilities, if necessary, will be done in such a manner as to comply with the 2010 ADA Standards. In choosing among the methods available to meet program access requirements for individuals with disabilities, the District will give priority to those methods that serve persons with disabilities in the most integrated setting appropriate. The District understands that compliance of facilities with the 2010 ADA Standards may not be sufficient to provide program access to individuals with disabilities to each of the District's programs and services.

Reporting Requirement: By April 1, 2022, the District will submit to OCR the detailed interim plan it has developed in accordance with Item 2 of the Agreement, and documentation verifying its implementation.

3. By April 1, 2022, the District will adopt and implement procedures to ensure that interested persons, including persons with mobility impairments, can obtain information as to the existence and location of services and activities that are accessible to and usable by persons with disabilities at the Stadium and its high school baseball and softball fields and how to request relocation of programs, services and activities that are not accessible, including the appropriate District contact person.

Reporting Requirement: By April 1, 2022, the District will submit to OCR a copy of the procedures it adopted pursuant to Item 3 of the Agreement, including a description of the means used to provide notice to students, parents, and guardians of the District's procedures and copies of any notices issued.

General Requirements

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 the Agreement. Upon the District's satisfaction of the terms and obligations of the Agreement, OCR will close the case.

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the Agreement and/or applicable statute(s) and regulation(s). 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 Agreement will become effective immediately upon the signature of the District's representative below.

/s/

3/7/2022

Superintendent or Designee

Date