

**Big Walnut Local School District  
Resolution Agreement  
OCR Docket #15-23-1121**

Big Walnut Local School District Board of Education (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, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, and 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 agrees to take the actions listed below in order to provide individuals with disabilities access to the District's facilities and programs at the District's [redacted content] [redacted content] (the School). Modifications made pursuant to this agreement will be completed in accordance with the applicable requirements of the 2010 ADA Standards for Accessible Design (the 2010 ADA Standards) or must identify existing elements that will be used that comply with the American National Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by, the Physically Handicapped (ANSI).

The District agrees to take the following actions:

- [illegible]

- a. provide OCR, for OCR's review and approval, a description of the plan to provide an appropriate number of places for wheelchair [redacted content] [redacted content] [redacted content] [redacted content], including the location of the [redacted content] and the accessible route to the [redacted content] [redacted content] [redacted content] [redacted content] [redacted content] [redacted content] [redacted content] [redacted content] [redacted content]; and
  - b. advise OCR of the estimated date for completion of construction of the project, which will be no earlier than May 1, 2024 and no later than August 29, 2025, depending on when it is anticipated that sufficient funds will become available in the District's budget and contingent on obtaining OCR approval to enable the Board of Education to move forward with the project.
4. By November 1, 2023, the District will complete installation of:
  - a. an accessible [redacted content] [redacted content] along the route to [redacted content] [redacted content] from designated accessible parking; and
  - b. an accessible route from designated accessible parking to [redacted content] [redacted content] [redacted content] [redacted content].

The contract for installation of the [redacted content] [redacted content] and accessible route will require the contractor to ensure that walking surfaces are stable, firm, and slip resistant with a running slope not steeper than 1:20 (ramps and curb ramps are permitted to be more steeply sloped), and that [redacted content] [redacted content] are located so that they do not [redacted content] [redacted content] [redacted content] [redacted content] [redacted content], [redacted content] [redacted content], [redacted content] [redacted content] [redacted content] [redacted content]. The District will ensure that the completed work results in compliance with the applicable requirements of Title II and Section 504.

5. By August 31, 2023, the District will provide OCR with an interim plan, to address the situation where a person with a mobility impairment uses or attends a program at the [redacted content] [redacted content] [redacted content] [redacted content] [redacted content] [redacted content] [redacted content] [redacted content] [redacted content], [redacted content], and how notice will be provided to those who may need such interim plan. If the District decides to move forward with adding an appropriate number of [redacted content] [redacted content] [redacted content] [redacted content] [redacted content] [redacted content] [redacted content] [redacted content] [redacted content], the interim plan will continue into subsequent school years, as needed.

**Reporting Requirement:**

- A. By **May 5, 2023**, the District will provide OCR with the name of the architect or other appropriate design professional, pursuant to Item 1.

- B. By **August 31, 2023**, the District will provide OCR with its interim plan pursuant to Item 5.
- C. By **October 1, 2023**, the District will provide OCR with sufficient information to demonstrate implementation of Items 2 and 3, including its plan.
- D. By **November 1, 2023**, the District will submit documentation verifying its completion of the actions in item 4. Documentation will include photographs, measurements, and photographs showing measurements, along with invoices, purchase orders, or similar documentation, including but not limited to a statement from any contractor regarding work done.
- E. Within sixty (60) days of completion of any construction project to add an appropriate number of [redacted content] [redacted content] [redacted content] [redacted content] [redacted content] [redacted content] [redacted content] [redacted content], the District will submit documentation verifying its completion of the actions in item 3. Documentation will include photographs, measurements, and photographs showing measurements, along with invoices, purchase orders, or similar documentation, including but not limited to a statement from any contractor regarding work done.

### **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 which are at issue in this complaint. 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 and their implementing regulations, 34 C.F.R. Part 104 and 28 C.F.R. Part 35.

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

/s/

05/05/2023

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Superintendent or Designee

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Date