

RESOLUTION AGREEMENT
Brick Township Public Schools
Case No. 02-12-1091

In order to resolve the compliance concerns identified in Case No. 02-12-1091, Brick Township Public Schools (the District) assures the U.S. Department of Education, New York Office for Civil Rights (OCR), that it will take the actions detailed below pursuant to the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 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 (the ADA), 42 U.S.C. § 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35.

Action Item:

By July 1, 2012, the District will make the structural changes set forth in the attached Appendix.

Reporting Requirement: By August 15, 2012, the District will provide OCR with documentation (e.g., copies of paid invoices, photographs) confirming completion of all structural changes set forth in the Appendix.

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 the regulations implementing Section 504, at 34 C.F.R. § 104.21, and the ADA, at 28 C.F.R. §§ 35.149, which were at issue in this case. The District also 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 the regulation implementing Section 504, at 34 C.F.R. § 104.21, and the ADA, at 28 C.F.R. §§ 35.149, which were at issue in this case.

Date

By: Walter Hrycenko
Superintendent
Brick Township Public Schools

APPENDIX A

Lot Name	Front Lot
No. of Accessible Spaces	3 of 25
Accessibility Issues	<ul style="list-style-type: none"> • Width of two non-van accessible parking spaces 72” wide [2010 Standards 502.2 requires minimum 96” width]

Lot Name	West Lot
No. of Accessible Spaces	0 of 301
Accessibility Issues	<ul style="list-style-type: none"> • 0 accessible spaces out of 301 total [2010 Standards 208.2 requires minimum 8 accessible spaces¹] • No van accessible spaces with access aisle [2010 Standards 208.2.4 and 502 require minimum 1 van-accessible space for every six accessible spaces or fraction of six accessible spaces, with an access aisle and “van accessible” signage]

Lot Name	East Lot
No. of Accessible Spaces	3 of 143
Accessibility Issues	<ul style="list-style-type: none"> • 3 accessible spaces out of 143 total [2010 Standards 208.2 requires minimum 5 accessible spaces] • No van accessible spaces with access aisle [2010 Standards 208.2.4 and 502 require minimum 1 van-accessible space for every six accessible spaces or fraction of six accessible spaces, with an access aisle and “van accessible” signage] • Appropriate accessible signage [2010 Standards 502.6 requires accessible parking spaces to have sign with international symbol of accessibility with bottom of sign minimum 60” above ground; van parking spaces shall contain the designation “van accessible”]

Lot Name	Rear Lot
No. of Accessible Spaces	0 of 121
Accessibility Issues	<ul style="list-style-type: none"> • 0 accessible spaces out of 121 total [2010 Standards 208.2 requires minimum 5 accessible spaces] • No van accessible spaces with access aisle [2010 Standards 208.2.4 and 502 require minimum 1 van-accessible space for every six accessible spaces or fraction of six accessible spaces, with an access aisle and “van accessible” signage]

¹ Pursuant to Section 208.2 of the 2010 ADA Standards for Accessible Design, where more than one parking lot is provided at a site, the number of accessible spaces is to be calculated according to the number of spaces required for each parking lot. However, pursuant to Exception 2 of Section 208.3.1, parking spaces may be located in different parking lots if substantially equivalent or greater accessibility is provided in terms of distance from an accessible entrance.