

**Resolution Agreement
Grafton Public Schools (District)
OCR Complaint No. 01-18-1102**

The U.S. Department of Education, Office for Civil Rights (OCR), initiated an investigation into allegations that Grafton Public Schools (District) violated Section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 and its implementing regulation at 28 C.F.R. Part 35. Prior to the completion of OCR's investigation, the District agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's *Case Processing Manual* (CPM). Accordingly, to resolve the issues of this investigation, the District agrees to take the actions set forth below.

For the purposes of this Agreement, the accessibility of online content and functionality will be measured according to the W3C's Web Content Accessibility Guidelines (WCAG) 2.0 Level AA and the Web Accessibility Initiative Accessible Rich Internet Applications Suite (WAI-ARIA) 1.1 for web content.

Adherence to these accessible technology standards is one way to ensure compliance with the District's underlying legal obligations to ensure people with disabilities are able to acquire the same information, engage in the same interactions, and enjoy the same benefits and services within the same timeframe as their nondisabled peers when using the District's public website with substantially equivalent ease of use, as required by Section 504 and Title II and their implementing regulations; and that they receive effective communication of the District's programs, services, and activities delivered online.

Actions

1. The District will conduct an audit of existing content and address any accessibility issues.
2. The District will provide website accessibility training to all staff with permission to modify or upload content to the District's website. If any staff member with permission to modify or upload content does not attend the training, the Director of Technology will revoke their permission.
3. Within two weeks of the date of this Agreement, the District will post a web accessibility notice on its website stating that the District is committed to making its website accessible, with a link to an e-mail address for individuals to send accessibility-related questions, comments, or suggestions.
4. The District will conduct periodic assessments throughout each year to ensure that its website is accessible. If the assessments identify any accessibility issues, the District will address the issues appropriately, except where doing so would impose a fundamental alteration or undue burden. When fundamental alteration or undue burden defenses apply, the District will follow federal legal requirements to provide effective alternative access. An assertion of an undue burden or fundamental alteration defense may only be made by an individual designated by the District's Superintendent, after considering all resources available for use in the funding and operation of the website and must be

accompanied by a written statement of the reasons for reaching that conclusion, including the cost of meeting the requirement and the available funding and other resources. If such a determination is made, the District will describe in the written statement how it will provide equally effective alternate access, i.e., other action that would not result in such an alteration or such burden but would nevertheless ensure that, to the maximum extent possible, individuals with disabilities receive the same benefits or services when using the District's website, provided by the District as their nondisabled peers.

Reporting Requirements

1. By June 30, 2018, and again by December 30, 2018, the District will provide OCR with the following:
 - a) Copy of the audit of existing content and evidence that the District has addressed any identified accessibility issues appropriately.
 - b) Documentation related to training the staff granted permission to modify and upload content to the website.
 - c) Documentation that the District has implemented the system of ensuring that only trained staff are allowed to modify or upload content.
 - d) Copies of any concerns related to website accessibility received via the website accessibility notice or other means, and any documentation related to addressing such concerns.
 - e) Documentation demonstrating that the District has implemented its new system of periodic assessments for accessibility and addressed any issues identified during the assessments appropriately.

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 in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.4 (a) and (b), 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 request such additional reports or data as is relevant and necessary for OCR to determine whether the District has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.4 (a) and (b), which were at issue in this case.

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.

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

/s/
James Cummings, Superintendent

2/13/18
Date