

RESOLUTION AGREEMENT

Puerto Rico Department of Education Case No. 02-14-1254

In order to resolve Case No. 02-14-1254, the Puerto Rico Department of Education (PRDOE) 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 (ADA), 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35.

Action Item:

By June 30, 2015, the PRDOE will ensure that its website, including all webpages, documents and links contained therein, is fully accessible through use of assistive technology to individuals who are blind or have visual impairments. The PRDOE will address concerns regarding the accessibility of its website through use of assistive technology, including but not limited to use of recognizable text; specification of the language used; and inclusion of correct accessibility “tags” that would permit the assistive technology to interpret webpage content.

Reporting Requirement:

- (a) By November 30, 2014, the PRDOE will provide documentation to OCR describing the measures it will take to ensure that the PRDOE’s website is made accessible to individuals who are blind or have visual impairments as set forth in the Action Item above. The PRDOE will also provide OCR with contact information for the PRDOE staff member(s) responsible for ensuring that the PRDOE’s website is accessible to individuals who are blind or have visual impairments. OCR will respond to PRDOE’s submission of documentation promptly, but no later than 60 calendar days after receiving the draft documents.
- (b) By March 31, 2015, the PRDOE will provide OCR with an interim report documenting its progress toward ensuring that the PRDOE website is fully accessible to individuals who are blind or have visual impairments as set forth in the Action Item above.
- (c) By June 30, 2015, the PRDOE will provide OCR with documentation demonstrating that the PRDOE website is fully accessible to individuals who are blind or have visual impairments as set forth in the Action Item above. The PRDOE’s submission shall include, but not necessarily be limited to, demonstration of its implementation of the OCR-approved measures referred to in Reporting Requirement (a).

The PRDOE understands that OCR will not close monitoring of this agreement until OCR determines that the PRDOE has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.4(b)(1)(ii), (iii) and (iv), and the ADA, at 28 C.F.R. §§ 35.130(b)(1)(ii), (iii) and (iv) and 35.160(a)(1), which were at issue in this case. The PRDOE also understands that by signing this agreement, it

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agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this agreement. Further, the PRDOE understands that during the monitoring of this agreement, if necessary, OCR may interview staff and request additional reports and data as are necessary for OCR to determine whether the PRDOE has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. § 104.4(b)(1)(ii), (iii) and (iv), and the ADA, at 28 C.F.R. §§ 35.130(b)(1)(ii), (iii) and (iv) and 35.160(a)(1), which were at issue in this case. The PRDOE 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 PRDOE written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

_____/s/_____
xxx xxxxxxxx xxxx xxxxxxxxxxxx xxx
Puerto Rico Department of Education

Date: _____10/24/2014_____