

Resolution Agreement
University of Pennsylvania
OCR Docket No. 03-19-6931

To resolve the above-referenced directed investigation brought under Section 504 of the Rehabilitation Act of 1973 the Office for Civil Rights (OCR) of the U.S. Department of Education and the Trustees of the University of Pennsylvania ("Recipient") enter into the following agreement. This agreement supersedes any prior agreement between OCR and Recipient addressing website accessibility. The parties to this agreement acknowledge that it is entered into voluntarily, and that it does not constitute an admission of liability, non-compliance, or wrongdoing by Recipient.

1. Online Content and Functionality. Recipient agrees that it will, in a reasonably timely manner, and in no case longer than 12 months, develop and take substantial steps in the implementation of a strategy to ensure that individuals with disabilities have an equal opportunity to participate in Recipient's programs and activities offered through Recipient's website by making the online content and functionality accessible,¹ or, if necessary, providing equally effective alternate access. To meet this commitment, Recipient will develop a strategy for identifying and addressing inaccessible content and functionality for individuals with disabilities. The Recipient's strategy will designate the standard that Recipient will use to determine the accessibility of online content and functionality (e.g., WCAG 2.0 level AA or a similar standard).

This strategy will address both existing content and functionality up to the effective date of this agreement, and new or updated online content or functionality that is published, developed, procured, or used after the effective date of this agreement. The strategy may include setting priorities for addressing online content and functionality by, for instance, placing a high priority on first making accessible: (1) site navigation and templates; (2) key information concerning matters such as recruitment, enrollment, course registration, student records, codes of conduct, financial transactions with students and parents/guardians, and grievance procedures related to discrimination allegations; (3) the most frequently visited pages on Recipient's website that Recipient identifies; (4) portions of the website that are of high importance to students, employees, or applicants with disabilities; and (5) content and functionality about which Recipient has received complaints, or which has been flagged for accessibility problems by individual users.

Nothing in this provision should be construed to mean that any content and functionality is not subject to the requirements of Section 504.

2. Accessible Alert Process. Recipient agrees that it will, in a reasonably timely manner, and in no case longer than 20 business days, implement and maintain an accessible process for users to alert Recipient to pages that have accessibility problems.

¹ "Accessible" refers to information or technology that, at a minimum, affords a person with a disability the opportunity to acquire the same information, engage in the same interactions, and enjoy the same programs and activities as a person without a disability in an equally effective and equally integrated manner, with substantially equivalent ease of use.

