

**Resolution Agreement**  
**Heartland Library Cooperative**  
**OCR Reference No. 04-16-4031**

To resolve the above-referenced complaint brought under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, the U.S. Department of Education (Department), Office for Civil Rights (OCR) and the Heartland Library Cooperative (Cooperative) enter into the following agreement. This Agreement supersedes the agreement the Cooperative entered into on May 17, 2017. This agreement was entered into voluntarily and does not constitute an admission of liability, non-compliance, or wrongdoing by the Cooperative.

1. Current Online Content and Functionality. By **May 17, 2019**, the Cooperative agrees that it will take all actions necessary to ensure that individuals with disabilities have an equal opportunity to participate in the Cooperative's programs and activities offered through the Cooperative's website or equally effective alternate access. To meet this commitment, the Cooperative will: develop a strategy for identifying inaccessible content and functionality for individuals with disabilities; develop a notice to persons with disabilities regarding how to request that the Cooperative provide access to online information or functionality; prominently post this notice on its home page and throughout its website; and develop a process to ensure that, upon request, inaccessible content and functionality will be made accessible<sup>1</sup> in an expedient manner.
2. New Online Content and Functionality. By **November 1, 2018**, the Cooperative will establish a plan to ensure that all new online content and functionality developed, procured, or used after the date of this agreement will be fully accessible to individuals with disabilities. The plan should include any staff training that may be necessary to ensure full implementation with the plan.
3. Undue Burden and Fundamental Alteration. This agreement does not require the Cooperative to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. In those circumstances where the Cooperative can demonstrate compliance would result in such an alteration or burden, the Cooperative will ensure that, to the maximum extent possible, individuals with disabilities receive the benefits or services provided by the recipient.
4. Technical Assistance. OCR will make itself available to provide technical assistance to the Cooperative during the Cooperative's implementation of this agreement.

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<sup>1</sup> "Accessible," for purposes of this agreement, means a person with a disability is afforded the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as a person without a disability in an equally effective and equally integrated manner, within the same timeframes, and with substantially equivalent ease of use.

5. Reporting Provision. By **May 17, 2019**, the Cooperative will submit a report to OCR demonstrating that it has fully satisfied the terms of this agreement. The report will describe benchmarks the Cooperative has reached and on-going efforts to maintain web accessibility and usability of the Cooperative's website.

The Cooperative 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 Cooperative understands that during the monitoring of this Agreement, if necessary, OCR may visit the Cooperative, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Cooperative has fulfilled the terms of this Agreement and is in compliance with Section 504 and its implementing regulation at 34 C.F.R. §104.21, and Title II implementing regulation at 28 C.F.R. §35.149. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this case.

The Cooperative 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 Cooperative written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the Cooperative's representative below.

/s/ Kresta L. King  
Cooperative Coordinator or Designee

5/2/2018  
Date

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Printed Name and Title