

RESOLUTION AGREEMENT

Argyle Independent School District OCR Case Number: 06-14-1592

Argyle Independent School District (the District), Argyle, Texas, voluntarily submits this Resolution Agreement (Agreement), as set forth below, to resolve the allegations in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office. By this Agreement, Argyle commits to the following Action Items, consistent with its obligation to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), 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 (Title II), 42 U.S.C. § 12132, and its implementing regulation at 28 C.F.R. Part 35. By entering into this Agreement, the District makes no admission of violations of Section 504 or Title II.

Under this voluntary commitment, the District assures OCR that it will implement the actions below.

Action Item #1

1. By **September 30, 2015**, the District will develop an accessibility policy (Accessibility Policy) that will be posted prominently on its website and informs students, employees, parents, guests and visitors with disabilities (particularly those with visual, hearing, or manual impairments or who otherwise require the use of assistive technology to access information concerning the District's educational programs) that if they have difficulty accessing information on the website, they should contact the District's designee at along with contact information) and that the designee will make appropriate accommodations to ensure prompt access to any website content;

Reporting Requirement for Action Item #1

2. By **September 30, 2015**, the District will provide OCR with a draft of the District's Accessibility Policy for OCR's review and approval. The District will also provide OCR with the name and contact information (office phone number and office e-mail address) for the District staff member designated to arrange accommodations for any individual who uses assistive technology and has difficulty accessing information on the District's website;
3. Within thirty (30) calendar days of the date OCR notifies the District that the Accessibility Policy has been approved, the District will post the Accessibility Policy on its website, post the Accessibility Policy in the District's main administration building and provide OCR with a copy of the final version of the Accessibility Policy;

Action Item #2: Training on Website Accessibility

4. Within sixty (60) calendar days of the date OCR notifies the District that the Accessibility Policy has been approved, the District will develop training material for all staff involved in

web design and implementation, including teachers who develop content for online instruction, on how to ensure accessibility in web design and implementation. The training will cover, at a minimum, the Accessibility Policy and the roles and responsibilities of the District staff to ensure that web design, documents, lessons and multimedia videos or content are accessible;

5. Within sixty (60) calendar days of the date OCR notifies the District that its training material has been approved, the District will use the material to train all staff involved in web design and implementation, including teachers who develop content for online instruction, on how to ensure accessibility in web design and implementation;

Reporting Requirement for Action Item #2

6. Within sixty (60) calendar days of the date OCR notifies the District that the Accessibility Policy has been approved, the District will provide for OCR's review and approval a copy of the training material developed by the District under paragraph 4 above for all staff involved in web design and implementation, including teachers who develop content for online instruction, on how to ensure accessibility in web design and implementation;
7. Within thirty (30) calendar days of the date the District provides the training described under paragraph 5 above, the District will provide OCR with documentation of the training provided pursuant to this Agreement, including the name(s) and credentials of the individual(s) who provided the training, a list of the individuals (name and job title) who attended the training, and a summary of the topics covered in the training;

Action Item #3: Website Accessibility

8. By **August 31, 2015**, the District will conduct an assessment of its website to determine the specific portions of its website that are not accessible. For the purpose of this Agreement, the accessibility of online content and functionality will be measured according to the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA standards, available at <http://www.w3.org/TR/WCAG20>. Adherence to the WCAG 2.0 Level AA standards is one way to ensure compliance with the District's obligation to make sure individuals who use assistive technology have the same access to the District's website as their nondisabled peers;¹
9. By **September 30, 2015**, the District will correct all portions of its website that the District, through its assessment, determines are not accessible to individuals who use assistive technology;

Reporting Requirement for Action Item #3

¹ Possible websites to assist the District in conducting its website accessibility analysis include: wave.webaim.org and achecker.ca/checker/index.php. Other useful websites are: www.w3.org which discusses the Web Content Accessibility Guidelines (WCAG) and www.Section508.gov which provides information on Section 508 of the Rehabilitation Act of 1973.

10. Within thirty (30) days of the date the District finishes addressing all issues identified in its assessment of the accessibility of the District's website, the District will provide OCR with documentation identifying:
 - a. All portions of the District's website that the District determined were not accessible;
 - b. The steps taken by the District to correct each of the problems listed above and;
 - c. Any documents verifying the accessibility problems identified by the District have been resolved;

Action Item #4: Physical Accessibility

11. By **August 31, 2015**, the District will conduct an assessment of the accessibility issues under investigation and provide OCR with the following information:
 - a. Hilltop Elementary School (Elementary School)
 - i. The date the Elementary School was constructed;
 - ii. A list of any alterations made to the Elementary School and the dates of each alteration;
 - iii. The dates the routes from the Elementary School to play areas were constructed;
 - iv. A list of any alterations made to the route from the Elementary School to the play areas and the dates of each alteration;
 - v. The dates the play areas were constructed;
 - vi. A list of any alterations made to the play areas and the dates of each alteration;
 - vii. The accessibility standard (*e.g.*, the Uniform Federal Accessibility Standards/UFAS, the Texas Accessibility Standards/TAS, *etc.*) the District determines is appropriate for:
 - The Elementary School;
 - The routes from the Elementary School to the play areas; and
 - The play areas;
 - viii. The District's assessment of whether the accessible entrances for the Elementary School are adequately identified;
 - In its assessment, the District will specifically address the exact mounting location and height of all required signage, including any directional signs;
 - If the District believes the Elementary School's accessible entrances are adequately identified, please provide documentation supporting the assessments (*e.g.*, photographs of each accessible entrance that clearly identify the exact location and height of all required signage, blue prints and site plans showing the location of the accessible entrances, *etc.*);
 - If the District does not think the Elementary School's accessible entrances are adequately identified, please identify the steps the

District will take to address all accessibility concerns and the date by which the District will complete those steps;

- ix. The District's assessment of whether the routes from the Elementary School to the play areas are accessible;
 - In its assessment, the District will specifically address wheelchair access, perimeter barriers depicted in photographs of the play areas and the ground surfaces compliance with applicable accessibility standards;
 - If the District believes the routes from the Elementary School to the play areas are accessible, please provide documentation supporting the assessments (*e.g.*, photographs, blue prints and site plans showing accessible routes to the play areas and any openings to perimeter barriers and surface assessments, *etc.*);
 - If the District does not think the routes from the Elementary School to the play areas are accessible, please identify the steps the District will take to address all accessibility concerns and the date by which the District will complete those steps;
- x. The District's assessment of whether the ground surfaces within each play area are accessible;
 - If the District believes the ground surface within the play areas are accessible, please provide documentation supporting that assessments (*e.g.*, photographs, site plans and blueprints with measurements, and a description of ground surfaces);
 - If the District does not think the ground surface within the play areas are accessible, please identify the steps the District will take to address the accessibility concerns and the date by which the District will complete those steps;

b. The Argyle Middle School (Middle School)

- i. The date the Middle School was constructed;
- ii. A list of any alterations made to the Middle School and the dates of each alteration;
- iii. The date of construction for each parking lot serving the Middle School;
- iv. A list of any alterations made to the parking lots serving the Middle School and the dates of each alteration;
- v. The date of construction of the routes from the parking lots to the Middle School;
- vi. A list of any alterations made to the routes from the parking lots to the Middle School and the date of each alteration;
- vii. The accessibility standard (*e.g.*, the Uniform Federal Accessibility Standards/UFAS, the Texas Accessibility Standards/TAS, *etc.*) the District determines is appropriate for:
 - The Middle School;
 - Each parking lot serving the Middle School; and

- The routes from the parking lots to the Middle School;
- viii. The District's assessment of whether the accessible entrances for the Middle School are adequately identified;
 - In its assessment, the District will specifically address the exact mounting location and height of all required signage, including any directional signs;
 - If the District believes the Middle School's accessible entrances are adequately identified, please provide documentation supporting the assessments (*e.g.*, photographs of each accessible entrance that clearly identify the exact location and height of all required signage, blue prints and site plans showing the location of the accessible entrances, *etc.*);
 - If the District does not think the Middle School's accessible entrances are adequately identified, please identify the steps the District will take to address all accessibility concerns and the date by which the District will complete those steps;
- ix. The District's assessment of whether the accessible parking spaces for the Middle School comply with the applicable accessibility standards;
 - In its assessment, the District will specifically address the location of all accessible parking spaces and van accessible parking spaces, the measurements of all accessible parking spaces, the demarcation of accessible parking spaces and accessible entrances for the Middle School and whether the accessible parking spaces are located along the shortest accessible route to the accessible entrances for the Middle School;
 - If the District believes the accessible parking spaces meet applicable accessibility standards, please provide documentation supporting that assessment (*e.g.*, blueprints and site plans with measurements that clearly show the location of accessible and van accessible parking spaces and access aisles, as well as routes from accessible parking spaces to the nearest accessible entrances; photographs of accessible parking spaces that show the measurements of the parking spaces and required signage; and photographs of the accessible routes from the parking spaces to the accessible entrances showing measurements, curb cuts and measurements for appropriate signage);

c. The Argyle High School

- i. The date the High School was constructed;
- ii. A list of any alterations made to the High School and the dates of each alteration;
- iii. The date of construction for each parking lot serving the High School;
- iv. A list of any alterations made to the parking lots serving the High School and the dates of each alteration;

- v. The date of construction of the routes from the parking lots to the High School;
- vi. A list of any alterations made to the routes from the parking lots to the High School and the date of each alteration;
- vii. The accessibility standard(*e.g.*, the Uniform Federal Accessibility Standards/UFAS, the Texas Accessibility Standards/TAS, *etc.*) the District determines is appropriate for:
 - The High School;
 - Each parking lot serving the High School; and
 - The routes from the parking lots to the High School;
- viii. The District's assessment of whether the accessible entrances for the High School are adequately identified;
 - In its assessment, the District will specifically address the exact mounting location and height of all required signage, including any directional signs;
 - If the District believes the High School's accessible entrances are adequately identified, please provide documentation supporting the assessments (*e.g.*, photographs of each accessible entrance that clearly identify the exact location and height of all required signage, blue prints and site plans showing the location of the accessible entrances, *etc.*);
 - If the District does not think the High School's accessible entrances are adequately identified, please identify the steps the District will take to address all accessibility concerns and the date by which the District will complete those steps;
- ix. The District's assessment of whether the accessible parking spaces for the High School comply with the applicable accessibility standards;
 - In its assessment, the District will specifically address the location of all accessible parking spaces and van accessible parking spaces, the measurements of all accessible parking spaces, the demarcation of accessible parking spaces and accessible entrances for the High School and whether the accessible parking spaces are located along the shortest accessible route to the accessible entrances for the High School;
 - If the District believes the accessible parking spaces meet applicable accessibility standards, please provide documentation supporting that assessment (*e.g.*, blueprints and site plans with measurements that clearly show the location of accessible and van accessible parking spaces and access aisles, as well as routes from accessible parking spaces to the nearest accessible entrances; photographs of accessible parking spaces that show the measurements of the parking spaces and required signage; and photographs of the accessible routes from the parking spaces to the accessible entrances showing measurements, curb cuts and measurements for appropriate signage);

d. The Baseball Fields for the Middle School and High School

- i. The date of construction of the baseball fields;
- ii. A list of any alterations made to the baseball fields and the date of each alteration;
- iii. The date of construction of the routes from the baseball fields to the Middle School and the High School;
- iv. A list of any alterations made to the routes from the baseball fields to the Middle School and the High School and the date of each alteration;
- v. The date of construction of the routes from the baseball fields to the parking lots for the baseball fields;
- vi. A list of any alterations made to the routes from the baseball fields to the parking lots for the baseball fields and the date of each alteration;
- vii. The accessibility standards (*e.g.*, the Uniform Federal Accessibility Standards/UFAS, the Texas Accessibility Standards/TAS, *etc.*) the District determines is appropriate for:
 - The baseball fields;
 - The routes from the baseball fields to the Middle School;
 - The routes from the baseball fields to the High School; and
 - The routes from the baseball fields to the parking lots serving the baseball fields;
- viii. The District's assessment of whether it has provided the required number and location of accessibility seating/wheelchair spaces for the baseball fields;
 - If the District believes it has provided the required number and location of the accessible seating/wheelchair spaces, please provide documentation supporting that assessment (*e.g.*, blueprints and site plans with measurements that show the exact location of accessible seating, the total number of seats available, and photographs showing the designation of accessible seating);
 - If the District does not think it has provided the correct number and/or location of accessible seating/wheelchair spaces, please identify the steps the District will take to address the accessibility problem(s) and the date(s) by which the District will complete the steps;
- ix. The District's assessment of whether the routes from the baseball fields to the Middle School and High School are accessible;
 - In its assessment, the District will specifically address whether curb cuts are provided in compliance with accessibility guidelines along cross-street pathways;
 - If the District believes the routes from the Middle School and High School to the baseball fields are accessible, please provide documentation supporting the assessment (*e.g.*, blueprints and site plans with measurements that clearly show the accessible routes and locations of curb cuts, photographs of the routes,

- measurements taken and the curb cuts and surface assessments, *etc.*);
- If the District does not think the routes from the High School to the baseball fields are accessible, please identify the steps the District will take to address all accessibility concerns and the date by which the District will complete those steps;
- x. The District's assessment of whether the routes from the baseball fields to the parking lots serving the baseball fields are accessible;
 - In its assessment, the District will specifically address whether curb cuts are provided in compliance with accessibility guidelines along cross-street pathways;
 - If the District believes the routes from the parking lots serving the baseball fields to the baseball fields are accessible, please provide documentation supporting the assessment (*e.g.*, blueprints and site plans with measurements that clearly show the accessible routes, the locations of curb cuts and accessible parking spaces within the parking lots; photographs of the routes, accessible parking spaces and requisite signage, measurements taken of the routes and the accessible parking spaces and access aisles and the curb cuts; and surface assessments, *etc.*);
 - If the District does not think the routes from parking lots serving the baseball fields to the baseball fields are accessible, please identify the steps the District will take to address all accessibility concerns and the date by which the District will complete those steps;
- e. The Football Field for the Middle School and High School Campus
 - i. The date of construction of the football field;
 - ii. A list of any alterations made to the football and the date of each alteration;
 - iii. The date of construction of the routes from the football field to the Middle and High School;
 - iv. A list of any alterations made to the routes from football to the Middle School and High School and the date of each alteration;
 - v. The date of construction of the routes from the football field to the parking lots for the football field;
 - vi. A list of any alterations made to the routes from the football field to the parking lots serving the football field and the date of each alteration;
 - vii. The accessibility standards (*e.g.*, the Uniform Federal Accessibility Standards/UFAS, the Texas Accessibility Standards/TAS, *etc.*) the District determines is appropriate for:
 - The football field;
 - The routes from the football field to the Middle School; and
 - The routes from the football field to the High School;

- The routes from the football field to the parking lots serving the football field;
- viii. The District's assessment of whether the routes from the football field to the Middle School and High School are accessible;
- In its assessment, the District will specifically address whether curb cuts are provided in compliance with accessibility guidelines along cross-street pathways;
 - If the District believes the routes from the Middle School and High School to the football field are accessible, please provide documentation supporting the assessment (*e.g.*, blueprints and site plans with measurements that clearly show the accessible routes and locations of curb cuts, photographs of the routes, measurements taken and the curb cuts and surface assessments, *etc.*);
 - If the District does not think the routes from the Middle School and High School to the football field are accessible, please identify the steps the District will take to address all accessibility concerns and the date by which the District will complete those steps;
- ix. The District's assessment of whether the routes from the football field to the parking lots serving the football field are accessible;
- In its assessment, the District will specifically address whether curb cuts are provided in compliance with accessibility guidelines along cross-street pathways;
 - If the District believes the routes from the parking lots serving the football field to the football field are accessible, please provide documentation supporting the assessment (*e.g.*, blueprints and site plans with measurements that clearly show the accessible route(s), the locations of curb cuts and accessible parking spaces within the parking lots; photographs of the routes, accessible parking spaces and requisite signage, measurements taken of the routes and the accessible parking spaces and access aisles and the curb cuts; and surface assessments, *etc.*);
 - If the District does not think the routes from parking lots serving the football field to the football field are accessible, please identify the steps the District will take to address all accessibility concerns and the date by which the District will complete those steps;
- f. The Tennis Courts for the Middle School and High School Campus
- i. The date of construction of the tennis courts;
 - ii. A list of any alterations made to the tennis courts and the date of each alteration;
 - iii. The date of construction of the routes from the tennis courts to the Middle School and High School;
 - iv. A list of any alterations made to the routes from tennis courts to the Middle School and High School and the date of each alteration;

- v. The date of construction of the routes from the parking lots serving the tennis courts to the tennis courts;
- vi. A list of any alterations made to the routes from the parking lots serving the tennis courts to the tennis courts and the date of each alteration;
- vii. The accessibility standards (*e.g.*, the Uniform Federal Accessibility Standards/UFAS, the Texas Accessibility Standards/TAS, *etc.*) the District determines is appropriate for:
 - the tennis courts;
 - the routes from the tennis courts to the Middle School;
 - the routes from the tennis courts to the High School; and
 - the routes from the tennis courts to the parking lots serving the tennis courts;
- viii. The District's assessment of whether it has provided the required number and location of accessibility seating/wheelchair spaces for the tennis courts;
 - If the District believes it has provided the required number and location of the accessible seating/wheelchair spaces, please provide documentation supporting that assessment (*e.g.*, blueprints and site plans with measurements that show the exact location of accessible seating, the total number of seats available, and photographs showing the designation of accessible seating);
 - If the District does not think it has provided the correct number and/or location of accessible seating/wheelchair spaces, please identify the steps the District will take to address the accessibility problem(s) and the date(s) by which the District will complete the steps;
- ix. The District's assessment of whether the routes from the tennis courts to the Middle School and High School are accessible;
 - In its assessment, the District will specifically address whether curb cuts are provided in compliance with accessibility guidelines along cross-street pathways;
 - If the District believes the routes from the Middle School and High School to the tennis courts are accessible, please provide documentation supporting the assessment (*e.g.*, blueprints and site plans with measurements that clearly show the accessible route(s) and locations of curb cuts, photographs of the routes, measurements taken and the curb cuts and surface assessments, *etc.*);
 - If the District does not think the routes from the tennis courts to the baseball fields are accessible, please identify the steps the District will take to address all accessibility concerns and the date by which the District will complete those steps;
- x. The District's assessment of whether the routes from the tennis courts to the parking lots serving tennis courts are accessible;

- In its assessment, the District will specifically address whether curb cuts are provided in compliance with accessibility guidelines along cross-street pathways;
 - If the District believes the routes from the parking lots serving the tennis courts to the tennis courts are accessible, please provide documentation supporting the assessment (*e.g.*, blueprints and site plans with measurements that clearly show the accessible route(s), the locations of curb cuts and accessible parking spaces within the parking lots; photographs of the routes, accessible parking spaces and requisite signage, measurements taken of the routes and the accessible parking spaces and access aisles and the curb cuts; and surface assessments, *etc.*);
 - If the District does not think the routes from parking lots serving the tennis courts to the tennis courts are accessible, please identify the steps the District will take to address all accessibility concerns and the date by which the District will complete those steps;
12. Once OCR reviews and approves the District's plan to address any accessibility compliance concerns, it will provide the District with written notice of the approval and engage in further discussions with the District to reach a mutually agreeable date by which the District will address any accessibility problems noted in its assessment;
13. Within sixty (60) days of the date the District finishes addressing all issues identified in its assessment of the facilities under investigation, the District will provide OCR with documentation demonstrating the completion of the accessibility repairs listed above. This report will include measurements, photographs, technical drawings, work orders, invoices, reports, etc. sufficient to show the accessibility repairs have been completed;

Miscellaneous Items

14. The District understands that by signing the Agreement, it agrees to provide data and other information in a timely manner. Further, the recipient understands that, during the monitoring of the Agreement, OCR may visit the recipient, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the recipient has fulfilled the terms of the Agreement and is in compliance with the statute(s) and regulations that were at issue in this case.
15. The recipient understands that OCR will not close the monitoring of the Agreement until such time that OCR determines that the recipient has fulfilled the terms of the Agreement and is in compliance with the statute(s) and regulations that were at issue in this case.
16. The recipient understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR shall give the recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

Dr. Telen Wright, Superintendent
Argyle Independent School District

Date