

Resolution Agreement

Brownsville Independent School District, Texas OCR Docket No. 06-19-5916

To resolve the above-referenced directed investigation brought under Section 504 of the Rehabilitation Act of 1973, and Title II of the Americans with Disabilities Act, the Office for Civil Rights (OCR) of the U.S. Department of Education and Brownsville Independent School District (District) enter into the following agreement. This agreement supersedes any prior agreement between OCR and the District 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 the District.

1. Online Content and Functionality. The District 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 the District's programs and activities offered through the District's website by making the online content and functionality accessible,¹ or, if necessary, providing equally effective alternate access. To meet this commitment, the District will develop a strategy for identifying and addressing inaccessible content and functionality for individuals with disabilities. The District's strategy will designate the standard that the District 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 registration, student records, school calendars, after school programs, codes of conduct, special education, transportation, grievance procedures related to discrimination allegations; (3) the most frequently visited pages on the District's website that the District 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 the District 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 and Title II.

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.

