



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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REGION IV
ALABAMA
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September 18, 2023

By email only to: brent.ringo@kerrvilleisd.net

Dr. Brent Ringo
Superintendent
Kerrville Independent School District
1009 Barnett Street
Kerrville, Texas 78028

Re: OCR Docket No. 06-23-3039
Kerrville Independent School District, Texas

Dear Superintendent Ringo:

This letter is to advise you of the resolution of the investigation that the U.S. Department of Education (Department), Office for Civil Rights (OCR) initiated in Kerrville Independent School District (District). OCR investigated whether the District's online programs, services, and activities exclude qualified persons with disabilities from participation in, deny them the benefits of, or otherwise subject them to discrimination under any program or activity, in violation of Section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 C.F.R. § 104.4 and Title II of the Americans with Disabilities Act of 1990 and its implementing regulation at 28 C.F.R. Part 35. In addition, OCR investigated whether the District fails to take appropriate steps to ensure that communications with applicants, participants, members of the public, and companions with disabilities are as effective as its communication with others, in violation of 28 C.F.R. § 35.160(a).

OCR enforces Section 504 of the Rehabilitation Act of 1973 (Section 504) and its implementing regulation at 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability in any program or activity receiving Federal financial assistance from the Department. OCR also enforces Title II of the Americans with Disabilities Act of 1990 (Title II) and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination against qualified individuals with disabilities by public entities, including public education systems and institutions, regardless of whether they receive Federal financial assistance from the Department.

OCR conducted an assessment of the District's online programs, services, and activities. OCR's robust manual testing revealed that almost all web pages were barrier-free and the programs, services, and activities on those pages are effectively communicated to people with disabilities. However, OCR noted a few compliance concerns:

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

- [Starkey Elementary School](https://www.kerrvilleisd.net/Domain/13) (https://www.kerrvilleisd.net/Domain/13): When the page is magnified to the point of reflow, individuals who have low vision cannot access some information on the page because color contrast is insufficient.
- [Hal Peterson Middle School](https://www.kerrvilleisd.net/Domain/9) (https://www.kerrvilleisd.net/Domain/9): Individuals who are blind or have low vision and use assistive technology cannot access the information on the page because an important image has ambiguous alternative text.
- For specific documents, including [The Calendar PDF](https://docs.google.com/viewerng/viewer?url=https://www.kerrvilleisd.net/cms/lib/TX50000093/Centricity/Domain/1357/KISD+23-24+Calendar_edited.pdf) (https://docs.google.com/viewerng/viewer?url=https://www.kerrvilleisd.net/cms/lib/TX50000093/Centricity/Domain/1357/KISD+23-24+Calendar_edited.pdf), [The Board Meeting Agenda PDF](https://meetings.boardbook.org/Public/Agenda/684?meeting=583186) (https://meetings.boardbook.org/Public/Agenda/684?meeting=583186), and [The Immunization Requirements PDF](https://docs.google.com/viewerng/viewer?url=https://www.kerrvilleisd.net/cms/lib/TX50000093/Centricity/Domain/74/2022-23+Immunization+Requirements.pdf) (https://docs.google.com/viewerng/viewer?url=https://www.kerrvilleisd.net/cms/lib/TX50000093/Centricity/Domain/74/2022-23+Immunization+Requirements.pdf): Individuals who are blind or have low vision and use assistive technology cannot access the information within the documents because they lack sufficient structure to communicate some content effectively.

On September 14, 2023, the District signed the enclosed resolution agreement (Agreement) to voluntarily resolve the investigation pursuant to Section 302 of OCR's *Case Processing Manual*. OCR will monitor the implementation of the Agreement.

This concludes OCR's investigation. This letter should not be interpreted to address the District's compliance with any other regulatory provision or to address any issues other than those addressed in this letter. This letter sets forth OCR's determination in an individual OCR matter. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public. An individual may have the right to file a private suit in federal court whether or not OCR finds a violation.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, we will seek to protect personally identifiable information that could reasonably be expected to constitute an unwarranted invasion of personal privacy if released, to the extent provided by law.

If you have any questions, please contact me at (202) 987-1879 or Rhonda.Collins@ed.gov.

Sincerely,

/s/ Rhonda Collins

Rhonda Collins
Attorney

Enclosure

Courtesy copy by email only to:

[redacted content]

[redacted content]

[redacted content]