

**RESOLUTION AGREEMENT**  
**Hampton City Schools**  
**OCR Complaint No. 11-11-1372**

This resolution agreement (the Agreement) is entered into between Hampton City Schools (the Division) and the U.S. Department of Education's Office for Civil Rights (OCR) to resolve the above-referenced complaint pursuant to Title II of the Americans with Disabilities Act, 42 U.S.C. §§ 1231 *et seq.*, and its implementing regulation at 28 C.F.R. §35.160 and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. § 104.4 (collectively, Title II and Section 504). The Division agrees to fully implement this Agreement to resolve OCR Complaint No. 11-11-1372. OCR acknowledges that the Division has already taken affirmative steps to provide effective communications with individuals who are deaf and hard of hearing, including by closed captioning many videos available through its website.

**Commitments**

1. The Division will ensure that its communications with individuals who are deaf or hard of hearing are as effective as its communications with hearing individuals, as required by Title II and Section 504, in any video transmissions of Division events and Division-produced programming, including its school board meetings, on its PEG television station currently broadcast on Cox channel 46 and Verizon channel 20 (collectively, the "Programming") by July 15, 2014. The Programming must, among other things, provide an equal degree of access in terms of hours of availability, accuracy, and timeliness of availability for individuals who are deaf or hard of hearing as for hearing individuals. If the Division makes Programming accessible through closed captioning, accuracy will meet industry standards to the fullest extent possible, exclusive of proper names.

**Reporting Requirement:**

By June 15, 2014, the Division will submit to OCR, for review and approval, a plan for how it will satisfy this Commitment 1 with regard to all Programming as of July 15, 2014 (the Plan). The Plan will indicate, for each program or transmission, how the Division will satisfy this Commitment 1. If the Plan contemplates the use of closed captioning, the Plan will define a reasonable standard of accuracy.

Within 15 days of OCR's approval, the Division will make the Plan official.

By July 15, 2014, the Division will certify to OCR in writing that it has taken the necessary steps to ensure that all Programming scheduled to be transmitted after July 15, 2014 will satisfy the Plan and Commitment 1, indicating for each element of Programming how it will be made accessible to individuals who are deaf and hard of hearing.

By January 15, 2015 and July 15, 2015, the Division will report to OCR on its implementation of the Plan in a form as requested by OCR.

2. The Division will disseminate and publicize information that provides persons who are deaf or hard of hearing with information regarding access to Programming (the “information”). The information will include the Plan and a list of any Programming scheduled for the 2014-2015 school year, to the extent that schedule has been determined, indicating how individuals who are deaf or hard of hearing will be provided equally effective access to the Programming.

**Reporting Requirement**

Within 30 days of OCR’s approval of the Plan, the Division will provide OCR with draft information and a plan on how it will disseminate that information (the dissemination plan). OCR will review the draft information and the dissemination plan and either approve them or provide any comments indicating changes necessary for approval.

Within 15 days of OCR’s approval of the draft information documents and the dissemination plan, the Division will provide OCR with confirmation that it has implemented the dissemination plan.

**Compliance**

1. The Division 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 Division understands that during the monitoring of this Agreement, if necessary, OCR may visit the Division, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Division has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Title II and Section 504, which were at issue in this case.
2. The Division 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 Division written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

3. The Division understands that OCR will not close the monitoring of this Agreement until OCR determines that the Division has fulfilled the terms of this Agreement and is in compliance with Title II and Section 504 with respect to the issues in this case.

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/s/  
Superintendent  
Hampton City Public Schools

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5/29/2014  
Date