

**Lapeer Community Schools
Voluntary Resolution Agreement
OCR Docket #15-15-1238**

Lapeer Community Schools (the District) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), for the purpose of resolving the above-referenced complaint alleging violation 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. § 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35.

“Accessible,” as used in 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, with substantially equivalent ease of use. A person with a disability must be able to obtain the information as fully, equally, and independently as a person without a disability. Although this might not result in identical ease of use compared to that of persons without disabilities, it still must ensure equal opportunity to the educational benefits and opportunities afforded by the technology and equal treatment in the use of such technology.

Requirement #1:

By January 31, 2016, the District will draft and submit to OCR for review and approval a policy to ensure information provided through the District’s website(s) (online content) is accessible to students, prospective students, employees, 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 (Web Accessibility Policy). The Web Accessibility Policy will:

- a. identify and adopt the specific technical standard(s) the District will use to determine whether online content is accessible (e.g., Section 508 of the Rehabilitation Act (Section 508), 29 U.S.C. § 794d, W3C’s Web Content Accessibility Guidelines (WCAG), or other standard or combination of standards that will render online content accessible);¹
- b. designate at least one individual, to be identified as the Web Accessibility Coordinator, and provide that individual with sufficient resources and authority to coordinate and implement the Web Accessibility Policy and all other commitments relating to accessibility within this Agreement;
- c. inform students, prospective students, employees, guests, and visitors that they may report violations of the technical standard(s) used by the District, file a formal complaint through its Section 504 and Title II grievance procedure, and/or contact the Web

¹ This Agreement does not imply that conformity with Section 508, WCAG, and/or other electronic and information technology standard is either required or sufficient to comply with the requirements of either Section 504 or Title II. The technical standard(s) serve only as guidance with respect to whether the online content is accessible.

Accessibility Coordinator with any accessibility concerns; the Web Accessibility Policy will include the name and/or title, office address and telephone number, and email address of the Web Accessibility Coordinator;

- d. provide administrative guidelines/procedures implementing the Web Accessibility Policy that will ensure that the District’s online content and information obtained through online content provided or developed by third parties is accessible; this procedure should direct administrators and staff to ensure that any District acquisition or use of online content and third-party websites, services, or products will provide equal opportunity to the educational benefits and opportunities afforded by the technology and equal treatment in the use of such technology;
- e. require bi-annual training for any staff (e.g. administrators, faculty, support staff, student employees) responsible for creating or distributing information with online content to students, employees, guests, and visitors with disabilities, including, but not limited to, training on the Web Accessibility Policy, and their roles and responsibilities to ensure that web design, documents, and multimedia content are accessible; the training will be facilitated, in whole or in part, by an individual with sufficient knowledge, skill, and experience to understand and employ the technical standard(s) adopted by the District; and
- f. provide for an accessibility audit to be completed at regular intervals under the direction of the Web Accessibility Coordinator, during which information provided by the District through its electronic and information technologies is measured against the technical standard(s) adopted in the Web Accessibility Policy. All problems identified through the audit will be documented, evaluated, and, if necessary, remediated within a reasonable period of time.

Reporting Requirement: By January 31, 2016, the District will provide for OCR review and approval the Web Accessibility Policy and related materials drafted consistent with Requirement #1.

Requirement #2:

Within 30 calendar days of OCR’s approval of the Web Accessibility Policy, the District will post the Web Accessibility Policy in a logical and readily identifiable location on its website.

Reporting Requirements: Within 30 calendar days of OCR’s approval of the District’s Web Accessibility Policy, the District will: (a) provide documentation to OCR verifying its implementation of Requirement #2, including providing the URL for the Web Accessibility Policy; and (b) provide to OCR the name(s) and credentials of the individual(s) who conducted the first training referenced in Requirement #1(e), a list of individuals (by name and title) who attended the training, and a copy of any training materials.

Requirement #3:

Within 180 calendar days of OCR’s approval of the Web Accessibility Policy, the Web Accessibility Coordinator will complete an internal audit to determine whether information provided through online content is currently accessible, measured against the technical standard(s) adopted by the Web Accessibility Policy. The District will document the results of the internal audit. If online content is not accessible, the District will develop a corrective action strategy based on the audit findings that includes relevant timeframes for completion.

Reporting Requirements: Within 180 calendar days of OCR’s approval of the Web Accessibility Policy, the District will provide to OCR for review and approval, a copy of its internal audit report and corrective action strategy, including the timeline for implementation of the corrective action strategy. Within 90 days of OCR’s approval of the corrective action strategy, the District will submit documentation to OCR confirming implementation of the corrective action strategy consistent with established timeframes, including certification to OCR that its online content meets the technical requirements adopted in the Web Accessibility Policy. The certification may be obtained from an employee of the District with sufficient knowledge, skill, and experience to understand and employ the technical standard(s) adopted by the District or by a third-party web accessibility consultant. The District will also provide to OCR the bases for this certification.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with Section 504 and its implementing regulation at 34 C.F.R. §§ 104.4, and Title II and its implementing regulation at 28 C.F.R. §§ 35.130, and 35.160, which were at issue in this complaint.

The District understands that, by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the District understands that during the monitoring of this Agreement OCR may visit the District, interview staff, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this Agreement and is in compliance with Section 504 and its implementing regulation at 34 C.F.R. §§ 104.4, and Title II and its implementing regulation at 28 C.F.R. §§ 35.130, and 35.160.

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

_____/s/_____
School Governing Board President or Designee

____11/11/2015_____
Date