

**Detroit Public Library
Resolution Agreement
OCR Docket #15-16-4038**

The Detroit Public Library (the Library) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education's Office for Civil Rights (OCR) for the purpose of resolving the above-referenced complaint alleging violation of 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.

The Library agrees to take the following actions:

1. By March 31, 2017, the Library will draft and submit to OCR for review and approval a policy and/or procedures to ensure that information provided through the Library's website(s) (online content) is accessible to Library users, administrators, employees and other staff, volunteers, 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, at minimum, accomplish the following:
 - a. identify and adopt the specific technical standard(s) the Library will use to determine whether online content is accessible (e.g., W3C's Web Content Accessibility Guidelines [WCAG], Web Accessibility Initiative - Accessible Rich Internet Applications Suite [WAI-ARIA], or other standard or combination of standards that will render online content accessible);¹
 - b. designate at least one individual (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. provide a procedure to ensure that 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 Library acquisition or use of

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

online content provided or developed by third parties (e.g. vendors, video-sharing websites such as YouTube, other open sources) that the Library chooses to make available on its website will provide equal opportunity to the educational benefits and opportunities afforded by the technology and equal treatment in the use of such technology;

- d. annual training for any staff members (e.g. administrators, employees, and other staff), as well as volunteers and others, who are responsible for creating or distributing information with online content to Library users, administrators, employees and other staff, volunteers, 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 Library;
- e. an accessibility audit (Audit) to be completed at regular intervals under the direction of the Web Accessibility Coordinator, during which information provided by the Library 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; and
- f. inform Library users, administrators, employees and other staff, volunteers, guests, and visitors that they may report violations of the technical standard(s) used by the Library, file a formal complaint through its Title II grievance procedure and/or contact the Web Accessibility Coordinator with any accessibility concerns. The Web Accessibility Policy will include the name and/or title, office address, telephone number, and email address of the Web Accessibility Coordinator.

Reporting Requirement: By March 31, 2017, the Library will provide for OCR’s review and approval the Web Accessibility Policy drafted consistent with Item 1 of this Agreement.

2. Within 60 calendar days of OCR’s approval of the Library’s Web Accessibility Policy, the Library will post the Web Accessibility Policy in a logical and readily identifiable location on its website and will provide notification to Library users, administrators, employees and other staff, volunteers, guests, and visitors. The notification will occur by written correspondence, email, and/or website notification and will further provide information on where the Web Accessibility Policy is located on the Library’s website and, alternatively, where individuals may request or obtain a copy of such document.

Reporting Requirement: Within 60 calendar days of OCR’s approval of the Library’s Web Accessibility Policy, the Library will provide documentation to OCR verifying its implementation of Item 2 of this agreement, including a copy of the notification(s) and the URL (web address[es]) for the location of its Web Accessibility Policy.

3. Within 180 calendar days of OCR’s approval of the Library’s Web Accessibility Policy, the Library will complete an initial Audit to examine whether information provided through online content is currently accessible, measured against the technical standard(s) adopted by the Web Accessibility Policy. The Library will document the results of the Audit and develop a corrective action strategy based on the audit findings that includes relevant timeframes for completion.

Reporting Requirement: Within 180 calendar days of OCR’s approval of the Library’s Web Accessibility Policy, the Library will provide to OCR for review and approval a copy of its Audit report and corrective action strategy, including the timeline for implementation of the corrective action strategy, and the credentials of a third-party web accessibility consultant or employee of the Library with sufficient knowledge, skill, and experience to understand and employ the technical standard(s) adopted by the Library that will be certifying (pursuant to Item 4 below) that the Library’s online content meets the technical requirements adopted in the Web Accessibility Policy.

4. Within 30 calendar days of OCR’s approval of the corrective action strategy, including the timeline for implementation of the corrective action strategy and the credentials of the Library’s consultant or responsible employee described above, the Library will begin implementation of the corrective action strategy to make its online content accessible to individuals with disabilities, particularly persons with visual, hearing, or manual impairments or who otherwise require the use of assistive technology to access online content.

Reporting Requirements: Within 180 calendar days of OCR’s approval of the corrective action strategy, the Library 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 Library will also provide to OCR the bases for this certification, including copies of any accessibility evaluation or report, dates of correction actions, and copies of any reports from interim audits conducted pursuant to the Web Accessibility Plan.

5. Within 60 calendar days of OCR’s approval of the Library’s Web Accessibility Policy, the Library will develop and conduct training on how to ensure accessibility in web design and implementation. The training will be provided by qualified personnel, or through an online training program vetted by said qualified personnel, to all staff, volunteers, and other persons involved in web design and implementation, including, but not limited to, administrators, employees and other staff, volunteers, Library users, and others who develop content for online instruction and/or post material on Library webpage(s)/portal(s). The training will include, at a minimum, training on the Web Accessibility Policy and the roles and responsibilities of each person in their designated role to ensure that web design, documents, course content, and multimedia videos or content are accessible.

Reporting Requirement: Within 60 calendar days of OCR’s approval of the Library’s Web Accessibility Policy, the Library will provide to OCR the name(s) and credentials of the individual(s) who conducted the training; a list of individuals, by name and title, who

attended the training; and a copy of any training materials (e.g., pamphlets, presentation materials).

General Requirements

The Library understands that OCR will not close the monitoring of this Agreement until OCR determines that the Library has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Title II at 28 C.F.R. §§ 35.130 and 35.160.

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

The Library understands and acknowledges that, if the Library does not implement the specific terms and obligations of this Agreement or otherwise come into compliance with the Title II regulation at 28 C.F.R. §§ 35.130 and 35.160, OCR may reopen the investigation of this complaint to ensure the Library’s compliance.

/s/

October 7, 2016

Executive Director

Date