

**Resolution Agreement**  
**South Carolina Technical College System**  
**OCR Compliance Review No. 11-11-6002**

The State Board for Technical and Comprehensive Education (SBTCE) agrees to fully implement this resolution agreement (Agreement) to resolve Office for Civil Rights (OCR) Compliance Review No. 11-11-6002 regarding the accessibility of its website to person with disabilities, especially those requiring the use of assistive technology. Additionally, SBTCE agrees to assist OCR in regard to the accessibility of the websites at the sixteen colleges that comprise the South Carolina Technical College System (SCTCS) to persons with disabilities, especially those requiring the use of assistive technology. By entering into this Agreement, SBTCE makes no admissions of any violations of Section 504 of the Rehabilitation Act and Title II of the Americans with Disabilities Act. SBTCE has voluntarily agreed to adhere to the terms of this Agreement.

The purpose of this agreement is to ensure that all content on the SBTCE web-site and the content of the web-sites of all the member colleges are accessible to students with visual and other print-related disabilities, particularly those students requiring the use of assistive technology. Students with disabilities must have the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as other students. SBTCE must ensure that students with disabilities can access the information on the web-sites with substantially equivalent ease of use as students without disabilities. Furthermore, SBTCE must assist OCR in ensuring that the websites of the member colleges also allow students with disabilities to access the information on the individual colleges' websites with substantially equivalent ease of use as students without disabilities. Should SBTCE or its member colleges choose to provide the information in some other manner, the accommodations or modifications must permit students with disabilities to receive all the educational benefits provided by the technology in an equally effective and equally integrated manner.

**Definition of Accessible:**

“Accessible” 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. The 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.

**Actions and Reporting**

1. By June 30, 2013, a directive will be drafted for OCR's review for OCR's review and approval.
  - a. The directive will be sent annually, prior to the start of the academic year, to the college presidents and appropriate System Office staff. This directive will include information about each college's responsibility to ensure that websites are accessible, information about accessibility standards, the expectation that the college will conduct annual website reviews to ensure compliance, and direct the college to identify the person that will be responsible for conducting the review, as well as overseeing any needed modifications.

- b. The directive will require each college and the System Office to submit an annual report documenting when the college conducted its website review, summarize the findings, and identify the steps that will be taken to correct any identified problems. The report will also include information about other web accessibility problems collected, evaluated, and addressed throughout the academic year.
- c. The System Office will designate one person to review all of the annual reports and to monitor steps taken to correct any problems.

**Reporting Requirements:**

By June 30, 2013, SCTCS will provide OCR with a draft of the directive and the contact information for the System Office staff member responsible for reviewing the results of the annual reviews and monitoring steps taken to insure compliance.

By October 1<sup>st</sup> of each following year for the next 3 years, a summary of the reports will be prepared and submitted to OCR.

- 2. By September 1, 2013, the SCTCS will develop a resource guide that provides information about web accessibility requirements, standards, and links to reference materials. The colleges will be asked to make this resource guide available to those offering and/or designing online courses and to those designing and maintaining college and System Office websites.

**Reporting Requirement:**

By July 30, 2013, the SBTCE will provide to OCR for its review and approval a draft or prototype of the resource guide

SBTCE understands that OCR will not close the monitoring of this Agreement until OCR determines that SBTCE has fulfilled its terms and is in compliance with the regulations implementing Section 504 at 34 C.F.R. Part 104 and Title II at 28 C.F.R. Part 35. SCTCS also 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, SBTCE understands that during the monitoring of this agreement, if necessary, OCR may visit SBTCE or any of its member colleges, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether SBTCE has fulfilled the terms of this Agreement and is in compliance with Section 504, Title II, and the relevant regulations. SBTCE 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 SBTCE written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

\_\_\_\_\_/s/\_\_\_\_\_  
 Darrel W. Staat  
 President of South Carolina Technical College System

\_\_\_\_2/28/13\_\_\_\_\_  
 Date