

**Resolution Agreement**  
University of Maine System Central Office  
OCR Reference No. 01-17-2245

To resolve the above-referenced complaint brought under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990, the Office for Civil Rights (OCR) of the U.S. Department of Education and the University of Maine System Central Office (University System) enter into the following agreement. This agreement supersedes the agreement the University System entered into on February 23, 2018. This agreement was entered into voluntarily and does not constitute an admission of liability, non-compliance, or wrongdoing by the University System.

1. Current Online Content and Functionality. By February 23, 2020 the University System agrees that it will take all actions necessary to ensure that individuals with disabilities have an equal opportunity to participate in the University System's programs and activities offered through the University System's website<sup>1</sup> or equally effective alternate access. To meet this commitment, the University System will: develop a strategy for identifying inaccessible content and functionality for individuals with disabilities; develop a notice to persons with disabilities regarding how to request that the University System provide access to online information or functionality; prominently post this notice on its home page and throughout its website; and develop a process to ensure that, upon request, inaccessible content and functionality will be made accessible<sup>2</sup> in an expedient manner.
2. New Online Content and Functionality. By August 23, 2018, the University System will establish a plan to ensure that all new online content and functionality developed, procured, or used after the date of this agreement will be fully accessible to individuals with disabilities. The plan should include any staff training that may be necessary to ensure full implementation with the plan.
3. Undue Burden and Fundamental Alteration. This agreement does not require the University System to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. In those circumstances where the University System can demonstrate compliance would result in such an alteration or burden, the University System will ensure that, to the maximum extent possible, individuals with disabilities receive the benefits or services provided by the recipient.

<sup>1</sup> This agreement and its deadlines, commitments, activities, submissions, approvals, responsibilities, etc., apply solely to the University System website [www.maine.edu](http://www.maine.edu), including its web pages, content and documents. This agreement does not extend to any other University System website or online tool, nor subdomains of the [www.maine.edu](http://www.maine.edu) website.

<sup>2</sup> "Accessible," for purposes of 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, within the same timeframes, and with substantially equivalent ease of use.

4. **Technical Assistance.** OCR will make itself available to provide technical assistance to the University System during the University System's implementation of this agreement.
5. **Reporting Provision.** By February 23, 2020, the University System will submit a report to OCR demonstrating that it has fully satisfied the terms of this agreement. The report will describe benchmarks the University System has reached and on-going efforts to maintain web accessibility and usability of the University System's website.

The University System understands that by signing the agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirement of this agreement. Further, the University System understands that during OCR's monitoring of this agreement, if necessary, OCR may visit the University System, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the University System has fulfilled the terms of this agreement. Upon the University System's satisfaction of the commitments made under this agreement, OCR will close the case.

The University System 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 the agreement, OCR will give the University System written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach

This agreement will become effective immediately upon the signature of the University System's representative below.

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James B. Thelen  
UMS General Counsel

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Date