

Resolution Agreement
Anoka-Ramsey Community College
OCR Docket Number 05-14-2395

Anoka-Ramsey Community College (College) submits this agreement in order to resolve OCR case number 05-14-2395 and to ensure its compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12132, and its implementing regulation, 28 C.F.R. Part 35 with respect to the allegations raised in the complaint.

The College agrees to take the following actions:

Student Focused Remedies

By October 31, 2014, the College will review the investigation that was conducted on the grievance filed by the Complainant on May 13, 2014, in accordance with its policies and procedures pertaining to the processing of complaints of discrimination on the basis of disability under its Equal Opportunity and Nondiscrimination in Employment and Education Policy (Policy). To the extent deemed necessary, the College will conduct additional interviews with the Complainant, College faculty and College staff to augment its investigation. In reviewing the investigation, the College will consider any evidence gathered as it applies to the specific standards set forth in the Policy. In determining whether the Complainant was subjected to discrimination on the basis of disability, the College will utilize the preponderance-of-the-evidence standard. At the conclusion of its review, the College will develop a written report of its findings. To the extent that the College determines that the Complainant was subjected to discrimination on the basis of disability, the College will take appropriate action. The College will also determine whether any remedial actions may be warranted and, if so, the College will take such action.

REPORTING REQUIREMENT: By November 7, 2014, the College will provide OCR with a report demonstrating that the review required by this agreement has been conducted in accord with the Policy. The College will provide OCR a copy of the written report of its findings and a description of any remedial actions taken, if applicable. The College will also provide OCR a copy of its notification to the Complainant of the findings of its review.

The College understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the College understands that, during the monitoring of this Agreement, OCR may visit the College, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the College has fulfilled the terms of this Agreement and is in compliance with the Title II implementing regulation at 28 C.F.R. § 35.130(a), and 28 C.F.R. § 35.130(b)(7), and the Section 504 implementing regulation at 34 C.F.R. § 104.4(a), and 34 C.F.R. § 104.44(a), which were at issue in this case.

The College understands that OCR will not close the monitoring of this Agreement until OCR determines that the College has fulfilled the terms of this Agreement and is in compliance with

the Title II implementing regulation at 28 C.F.R. § 35.130(a), and 28 C.F.R. § 35.130(b)(7), and the Section 504 implementing regulation at 34 C.F.R. §104.4(a), and 34 C.F.R. § 104.44(a), which were at issue in this case.

The College 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 or judicial proceedings to enforce the specific terms and obligations of this Agreement, OCR shall give the College written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

Approved and agreed to on behalf of the Anoka-Ramsey Community College.

Dr. Kent Hanson
President
Anoka-Ramsey Community College

Date