

RESOLUTION AGREEMENT
Southside Virginia Community College
OCR Case No. 11-15-2206

Southside Virginia Community College (the College) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 11-15-2206. This Agreement does not constitute an admission by the College of a violation of Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (Title II), or any other law enforced by OCR.

1. Within twenty (20) calendar days of the date of this Agreement, the College shall offer to the Complainant, in writing, the opportunity to retake XXXX courses during the XXXX semester in accordance with the College's published registration and enrollment deadlines, without charge of tuition or fees.¹ The Complainant will be notified in the written offer of the College's policy that, when a course is retaken, the last grade obtained is the grade that counts toward the graduation requirement and toward the grade point average. XXXX SENTENCE REDACTED XXXX

Reporting Requirement:

By XXXX, the College will provide OCR with documentation to show that it has completed item 1 above. The documentation shall include copies of the offer to the Complainant to enroll in the courses as well as the Complainant's response.

2. If the Complainant accepts the College's offer, within 20 calendar days from the date of the Complainant's response, the College shall contact the Complainant and invite him to meet with a College representative to determine the Complainant's eligibility for academic adjustments and/or auxiliary aids and services. If the Complainant refuses to meet with the College representative in person, this determination shall be made through phone or email conversations. The College shall consider all medical and other documentation provided by the Complainant, determine whether that information adequately documents the need for academic adjustments and/or auxiliary aids and services, and, if eligible, develop an individual plan for the Complainant using an interactive process, which the College will implement with fidelity.

Reporting Requirement:

By XXXX, the College will provide OCR a report indicating the determination as to whether the Complainant is a qualified individual with a disability, and, if so, a copy of the Complainant's approved academic adjustments and/or auxiliary aids and services. The College will include a copy of all documentation provided by the Complainant; meeting notes including the names and titles of participants; any additional information that the College considered in making a determination regarding the Complainant's

¹ The XXXX, of which XXXX were a part, XXXX. However, should XXXX courses be offered during the academic semesters in this provision, they will be made available to the Complainant under the terms of this provision. The XXXX course is still XXXX.

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

eligibility and need for academic adjustments and/or auxiliary aids and services; and the rationale for the determinations.

3. During the XXXX semester, the College will provide training, or coordinate with OCR to provide training, to College staff and personnel who are responsible for determining whether a student qualifies for academic adjustments and/or auxiliary aids and services, who may be a point of contact for a student who makes a request for such services, and who are responsible for implementing academic adjustments and/or auxiliary aids and services. The training should address, at a minimum, the College's responsibilities with regard to responding to a student's request for academic adjustments and/or auxiliary aids and services whether the request is verbal or in written form, necessary documentation, the interactive process, essential academic requirements, and implementation of such services.

Reporting Requirement:

By XXXX, the College will provide for OCR's review and approval the training materials prepared, including the name(s) and title(s) of the trainer(s) and any handouts or presentations developed. OCR will make reasonable efforts to respond to the College in a timely manner.

Within 15 calendar days of the completion of the approved training, the College will submit to OCR the name(s) and title(s) of the trainer(s), the date of the training, the material used or disseminated, and the sign-in sheets indicating the names and titles of participants.

4. The College will revise its policies and procedures related to requests for academic adjustments and/or auxiliary aids and services to ensure that these documents describe the process by which a student may request and obtain academic adjustments and/or auxiliary aids and services, and will include (as necessary):
 - Contact information for the person or office to whom a student may make a request;
 - Definitions and examples of important terms related to making a request for disability-related services;
 - An explanation of the types of documentation that may be necessary;
 - An explanation of the steps the College uses in reviewing documentation and communicating with a student about his or her request, using an interactive process;
 - General timeframes for responding to such requests and implementation of services; and
 - A description of the documentation or other records a student can expect, indicating the outcome of the College's review and the academic adjustments and/or auxiliary aids and services he or she is entitled to receive.

Reporting Requirement:

- By XXXX, the College will provide OCR with draft policies and procedures for students to request disability services, and the College to review such requests, to ensure appropriate and timely provision of adjustments, aids, and services for OCR's review and approval. OCR will make reasonable efforts to respond to the College in a timely manner. Within thirty (30) days of OCR's approval, the College will adopt the notice, policy, and procedures, and publish them in all relevant College materials and websites.
 - By XXXX, the College will provide OCR with documentation to show that it has implemented the revised policy and procedures. The College will provide data illustrating how many requests it received from students seeking disability services during the period from XXXX through XXXX; the dates the requests were received; the name of the person who initially received the request; whether the College requested documentation from the student; whether and when the College determined the student was eligible for disability services; a copy of the resulting adjustments, aids, or services that the College developed with the student; and correspondence indicating how and when the College communicated the agreed upon adjustments, aids, or services to the student and appropriate instructors.
5. The College will develop internal procedures to guide its response to student requests for academic adjustments, including how the College will communicate with and respond to the requesting student as well as appropriate faculty about services to which qualified students are entitled to receive.

Reporting Requirement:

By XXXX, the College will provide OCR with a copy of its draft procedures for review and approval. OCR will make reasonable efforts to respond to the College in a timely manner. Within 45 days of receiving approval from OCR, the College will adopt the procedure and provide to OCR documentation supporting completion of this step.

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 regulation implementing Section 504 and Title II, at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, respectively.

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 regulations implementing Section 504 and Title II, at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which were at issue in this complaint.

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 (34 C.F.R. §§ 100.9, 100.10) or judicial proceedings to enforce 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.

By: _____/s/_____ Date: _____03/14/2017_____

Interim Vice-President of Finance and Administration