

RESOLUTION AGREEMENT
Sterling College
OCR Complaint No. 01-22-2176

Sterling College (College) has voluntarily entered into this agreement to resolve the allegations in the above-referenced complaint. The College agreed to resolve this complaint prior to the completion of OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*. The College assures that it will take the following actions.

Action Item 1: Section 504 Coordinator

The College's Section 504 Coordinator will coordinate its efforts to comply with and carry out its responsibilities under Section 504 of the Rehabilitation Act of 1973 (Section 504), including the investigation of any complaint communicated to it alleging its noncompliance with this law or alleging any actions that would be prohibited by this law. The College will provide OCR a detailed description of the responsibilities of the Section 504 Coordinator and a list of where the Section 504 Coordinator's name, title, and contact information is posted. The Section 504 Coordinator's responsibilities will include, but are not limited to, the following:

- a. Knowledge of the College's Section 504 grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504.
- b. Annual training regarding the requirements of Section 504 to enable the Section 504 Coordinator to communicate those requirements to other individuals at the College who may be unaware of their responsibilities and promptly correct any failure by individual employees to comply with those responsibilities.
- c. Oversee and have ultimate responsibility for the College's investigation of, and prompt and equitable response to, all alleged actions that would be prohibited by Section 504 of which a responsible College employee is, or should be, aware.
- d. Annually review all alleged acts that would be prohibited by Section 504 of which a responsible employee is aware in order to identify and address any patterns or systemic problems; whether any individuals engaged in repeated misconduct; whether there are any patterns of barriers to reporting for any group; and/or if reports were not processed promptly and equitably in compliance with the College's Section 504 grievance procedures.

Reporting Requirements

1. By **June 1, 2023**, the College will provide to OCR:
 - a. a copy of the Section 504 Coordinator's responsibilities and corresponding training requirements; and

- b. A statement regarding where the Section 504 Coordinator's name, title, and contact information is posted, including the URL(s) for any electronic postings.

Action Item 2: Notice of Nondiscrimination

The College will revise its notice of nondiscrimination and will widely publish the revised language by including it in a variety of publications to ensure dissemination to students, employees, and applicants for admission and employment.

The revised notice of nondiscrimination will include the following information:

- a. The College does not discriminate on the basis of disability in admission or access to, or treatment or employment in, its programs or activities.
- b. Inquiries regarding the application of Section 504 may be referred to the College's Section 504 Coordinator, and it shall include the name, title, office address, email address, and telephone number for the College's Section 504 Coordinator.

Reporting Requirements

1. By **June 1, 2023**, the College will provide OCR with documentation of the College's dissemination of its revised notice of nondiscrimination, including URL(s) for any electronic publications containing the notice.

Action Item 3: Section 504 Grievance Procedures

The College will review its grievance procedures related to disability discrimination and revise where necessary to ensure they provide for a prompt and equitable response to complaints alleging discrimination based upon disability and are consistent with the requirements of Section 504 at 34 C.F.R. Section 104.7(b). If the College identifies more than one Section 504 grievance procedure, it will revise or eliminate procedures as appropriate, including adding cross references and links between the various procedures to ensure they are internally consistent. The revised Section 504 grievance procedures shall include, at minimum, the following elements:

- a. Notice to students and employees of the grievance procedures, including where complaints may be filed.
- b. Application of the procedures to complaints against students, employees, and third parties.
- c. If informal resolution is made available, the procedures will inform the parties of the availability of optional informal resolution, but will state that the parties are under no obligation to participate in informal resolution.
- d. Designated and reasonably prompt timeframes for the major stages of the complaint process (e.g., investigation, notice of outcome, appeal, etc.).

- e. An adequate, reliable, and impartial investigation of complaints, including the opportunity to present witnesses and other evidence;
- f. An assurance that if discrimination is found, the College will take steps to stop the discrimination, prevent recurrence, and remedy discriminatory effects on the complainant and others, if appropriate.
- g. Notice to the parties of the outcome of the complaint and the basis for the decision.

Reporting Requirements

1. By **June 1, 2023**, the College will provide its revised Section 504 grievance procedures to OCR for its review and approval.
2. Within 60 calendar days of OCR's written notice to the College of its approval, the College will adopt, implement, and publish the revised procedures. The College will make this information available through the College's website, revised student handbook, and any other additional means of notification the College deems effective to ensure that the information is disseminated. The College will also notify all students of the revised procedures via email. The College will provide OCR with documentation that it has completed this item, including a link to the webpage(s) where the revised procedures are located, a copy of its revised student handbook, and documentation of any other additional means of notification used by the College (including the email notification to students).
3. Within 90 calendar days of OCR's written notice to the College of its approval, the College will provide training on its Section 504 grievance procedures to its Section 504 coordinator(s), and all College officials, administrators, faculty and staff who will be directly involved in processing, investigating, and/or resolving complaints of discrimination and harassment based on disability. The College will also submit to OCR documentation demonstrating that the training was delivered in accordance with this Agreement, including: the date(s) of the training(s); the name/credentials of the trainer; agenda; copies of all training materials; and a list of the attendees.

By signing the resolution agreement, the College agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. During the monitoring of the resolution agreement, if necessary, 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 the resolution agreement.

The College understands that OCR will not close the monitoring of the agreement until such time as OCR determines that the College is in compliance with the terms of the agreement and the statute(s) and regulation(s) at issue in the case.

The College understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (DOJ) for judicial proceedings in the event of breach.

