

RESOLUTION AGREEMENT
Quincy College
OCR Complaint No. 01-22-2190

Pursuant to Section 302 of OCR's *Case Processing Manual*, Quincy College has voluntarily entered into this agreement to resolve the allegations in the above-referenced complaint. The College assures that it will take the following actions.

Action Item 1

The College shall develop a procedure to ensure that students who receive academic adjustments are provided a clear explanation of what each academic adjustment they have been granted is, including any steps the students must take in order to invoke the academic adjustment, and that all College employees responsible for implementing academic adjustments are also provided such explanation for any academic adjustment they have a role in implementing.

Reporting Requirements

1. By November 21, 2022, the College will submit its procedure to OCR for review and approval.
2. By June 30, 2023, the College will submit documentation to OCR sufficient to show that the procedure was implemented for every College student approved for academic adjustments during the Spring 2023 semester.
3. By December 31, 2023, the College will submit documentation to OCR sufficient to show that the procedure was implemented for every College student approved for academic adjustments during the Fall 2023 semester.

Action Item 2

The College will provide training to (i) all College faculty (including adjunct/part-time faculty) and (ii) all administrators and staff who are involved in any way in either engaging in the interactive process or implementing academic adjustments, regarding the College's obligations pursuant to Section 504 and Title II to provide academic adjustments to all qualified students with disabilities attending the College. The training will be conducted by individual(s) knowledgeable about the laws and issues pertaining to disability discrimination and shall address, at a minimum, the following:

- 1) The requirement that a qualified person with a disability may not be excluded from participation in, be denied the benefits of, or otherwise subjected to discrimination in any postsecondary program's aids, benefits, or services on the basis of disability;
- 2) The College's process for a student to request academic adjustments (accommodations), including applicable College policies and the interactive process;
- 3) An explanation that, if the College denies a request for an academic adjustment, it should clearly communicate the reasons for its decision to the student so that the

student has a reasonable opportunity to respond and provide additional documentation that would address the College's objections;

- 4) An explanation that academic adjustments for students with disabilities are determined only by the appropriate College office; that such academic adjustments cannot be altered by faculty or by faculty/student agreement, whether through a contract or a contingency plan or in any other way; and that faculty cannot ask or require students with academic adjustments to waive their academic adjustments or rights under Section 504/Title II; and
- 5) The procedure, once approved, described in Action Item 1.

Reporting Requirements

1. By December 5, 2022, the College will provide, for OCR's review and approval, a copy of the training materials it will use, as well as the credentials of the trainer/presenter.
2. Within 30 days after receiving OCR's approval of the materials and trainer/presenter, the College will provide to OCR:
 - a. A list of the individuals who attended the training and their positions;
 - b. The date(s) the training was conducted; and
 - c. Copies of any training materials disseminated.

By signing the Agreement, the District agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. During the monitoring of the Agreement, if necessary, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of the Agreement.

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

The District understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (DOJ) for judicial proceedings to enforce the specific terms of the Agreement and the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the District written notice of the alleged breach and 60 calendar days to cure the alleged breach.

The Agreement will become effective immediately upon the signature of the College's representative below.

By: /S/ Date: 10/26/22
President Richard DeCristofaro
Quincy College