

**Resolution Agreement
OCR Complaint #03152311
Northampton Community College**

In order to resolve the compliance concerns noted in the complaint filed with the United States Department of Education, Office for Civil Rights (OCR), against Northampton Community College under Section 504 of the Rehabilitation Act of 1973 at 34 C.F.R. Part 104 (Section 504), and Title II of the Americans with Disabilities Act at 28 C.F.R. Part 35 (Title II) which prohibit discrimination on the basis of disability, the College voluntarily enters into this Resolution Agreement (Agreement) and makes the following commitments to OCR.

1. The College recognizes its obligation under Section 504 and Title II to ensure that no person, on the basis of disability, be excluded from participation in, be denied the benefits of, be treated differently from another person, or otherwise be discriminated against in any program or activity. The College acknowledges its obligations under Section 504 and Title II and their implementing regulations, Section 504 at 34 C.F.R. §§ 104.4 and 104.7, and 28 C.F.R. §§ 35.130 and 35.107 to promptly and equitably investigate formal and informal complaints alleging violations of Section 504 and Title II.
2. By December 31, 2015, the College will submit to OCR its revised or newly developed grievance procedures, to address applicable student complaints brought under Section 504 and Title II, in accordance with their implementing regulations. The College will ensure that these procedures provide for the prompt and equitable resolution of such complaints. The College's revised grievance procedures will, at a minimum, include:
 - a. notice to students of the procedure, including how and where to file a complaint;
 - b. application of the procedure to complaints alleging disability discrimination carried out by students, employees, or third parties;
 - c. adequate, reliable, and impartial investigation of complaints, including the opportunity to present witnesses and other evidence;
 - d. designated and prompt timeframes governing the major stages of the grievance process;
 - e. notice to the parties of the outcome of the complaint, and the basis for the decision;
 - f. the right of parties to appeal the findings, remedy or both; and
 - g. an assurance that the College will take steps to prevent the recurrence of any prohibited actions and to correct its discriminatory effects on the complainant and others, if appropriate.
3. Within 60 calendar days after receiving notice of OCR's approval of the Section 504/Title II grievance procedures, the College will provide OCR with documentation that it has implemented the procedures, including copies of written notices issued to students regarding the approved grievance procedures and a description of how the notices were distributed; copies of its approved student handbooks, if any, and any other publications where these procedures are published; and a link to its webpage where the approved grievance procedures are located.

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The College understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this Agreement. Further, the College understands that during the monitoring of this 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 this Agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §§ 104.4 and 104.7, and Title II at 28 C.F.R. §§ 35.107 and 35.130, 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 regulations implementing Section 504 at 34 C.F.R. §§ 104.4 and 104.7, and Title II at 28 C.F.R. §§ 35.107 and 35.130.

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 and 100.10) or judicial proceeding to enforce this Agreement, OCR shall give the College written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

/s/

10/22/15

President or Designee

Date