

**Resolution Agreement  
St. Petersburg College  
OCR Docket Number 04-14-2298**

The U.S. Department of Education, Office for Civil Rights (OCR), initiated the above-referenced investigation of St. Petersburg College (College), pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104, which prohibits discrimination on the basis of disability in all programs and activities that receive Federal financial assistance from the Department; and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131 *et seq.*, and its implementing regulation, 28 C.F.R. Part 35, which prohibits discrimination on the basis of disability in public postsecondary education systems. Prior to the completion of OCR's investigation, the College asked to resolve the complaint pursuant to Section 302 of OCR's Case Processing Manual (CPM).

The College agrees to take all steps reasonably designed to ensure compliance with Section 504 and Title II, and their implementing regulations, 34 C.F.R. Part 104 and 28 C.F.R. Part 35, and to resolve the issues of this investigation. The College voluntarily agrees to take the following actions:

**Procedural Remedies**

1. **By September 30, 2014**, the College will submit its revision of Rule 6Hx23-1.251 ("Animal Control"), its newly adopted Procedure 6Hx23-1.251 ("Assistive Animals"), and the policies of the Disability Resource Office to OCR for review and approval to ensure that they comply with the requirements of Section 504 and Title II with regard to service animals.<sup>1</sup> The College will also revise its service animal training materials and submit these to OCR for review and approval by September 30, 2014.

**Reporting Requirement:** By **October 15, 2014**, the College will submit to OCR for review and approval, a copy of its revised Rule 6Hx23-1.251 ("Animal Control"), Procedure 6Hx23-1.251 ("Assistive Animals"), the policies of the Disability Resource Office, and the service animal training materials.

2. By **November 30, 2014, or within 30 days of notice of OCR's approval** of the revised Animal Control Policy R6Hx23-1.251, Procedure 6Hx23-1.251 ("Assistive Animals"), and the revised policies of the Disability Resources Office, whichever is later, the College will adopt the revised Animal Control Policy R6Hx23-1.251, Procedure 6Hx23-1.251 ("Assistive Animals"), and the revised policies of the Disability Resource Office and publish the policies on the College's website, student handbook, and in any other appropriate locations.

**Reporting Requirement:** By **December 15, 2014, or within 15 days of receipt of notice of OCR's approval** of the revised Animal Control Policy identified in Item 1, whichever is later,

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<sup>1</sup> For assistance with crafting these policies, please see the U.S. Department of Justice's July 12, 2011, Revised Service Animal Guidance at: [http://www.ada.gov/service\\_animals\\_2010.htm](http://www.ada.gov/service_animals_2010.htm)

the College will submit to OCR documentation to show the revised Animal Control Policy and the revised policies of the Disability Resource Office were published on the College's website, student handbook, and in any other appropriate locations.

### **Training Remedies**

3. Upon receiving OCR's approval of the service animal training materials, the College will initiate annual training by **January 15, 2015**, on all of its campuses of Disability Resource Office staff, campus security officers or personnel, and campus administrators regarding the requirements of Section 504 and Title II, with respect to the U.S. Department of Justice's 2011 ADA Service Animal guidance, the College's revised Animal Control Policy R6Hx23-1.251, Procedure 6Hx23-1.251 ("Assistive Animals"), and the revised policies of the Disability Resource Office.

**Reporting Requirement:** By **January 30, 2015**, the College will provide documentation to OCR demonstrating that the College has initiated annual training pursuant to this provision of the resolution agreement (Agreement). The documentation shall include: (1) the date of the training session; (2) a list of names and titles of employees who participated in the training session or the number of employees trained and their titles/positions; (3) a description of the presenter's background and qualifications with respect to knowledge of Section 504 and Title II; and (4) a copy of the agenda and the training materials disseminated.

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. 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 Section 504 and Title II implementing regulations set forth below 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 Section 504 implementing regulation at 34 C.F.R. § 104.4(b)(1)(iii) and (b)(2) and 34 C.F.R. § 104.43(a) and the Title II implementing regulation at 28 C.F.R. § 35.136 (a), (f), and (g) 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 (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.

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This Resolution Agreement will become effective immediately upon the signature of the College President or his/her designee below.

/s/  
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**College President or designee**

8/19/2014  
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**Date**