

**Resolution Agreement  
Calhoun Community College  
OCR Docket Number 04-14-2502**

Calhoun Community College (College) submits to the U.S. Department of Education, Office for Civil Rights (OCR), this Resolution Agreement (Agreement) to voluntarily resolve the issue in the above-referenced complaint and to ensure compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, 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. The Agreement reflects voluntary actions to be taken by the College to ensure continued compliance with Section 504 and Title II. The College agrees to implement the actions described below:

**Student Focused Remedy**

1. By **January 30, 2015**, the College will provide Complainant with copies of any and all written correspondences submitted to Complainant after January 30, 2014 using an address that was either inactive or otherwise not on file with the College.
2. With respect to any correspondences submitted to Complainant after January 30, 2014 using an address that was either inactive or otherwise not on file with the College, by **January 30, 2015**, the College will grant Complainant any and all applicable appellate rights relative to any and all decisions and/or determinations contained therein. The time limitations stated in the College's policies for any such appeal shall not commence until the date Complainant receives notice of his right of appeal or January 5, 2015, whichever is later.
3. College hereby agrees to provide a neutral reference in response to any inquiry (whether internal or external) referencing or seeking information concerning Complainant's enrollment in any of College's programs. The neutral reference shall consist of only Complainant's dates and programs of enrollment.

Reporting Requirement: By **February 15, 2015**, the College will submit documentation confirming that the preceding requirements of this Resolution Agreement have been completed.

**Section 504 and Title II –Staff Training**

4. By **March 30, 2015**, the College will provide training for all of its administrators, faculty, and student support staff regarding retaliation.

Reporting Requirements:

By **February 15, 2015**, the College will submit: (1) a description of the presenter's background and qualifications with respect to knowledge of Section 504 and Title II; and (2) a copy of the agenda and the training materials to be disseminated.

By **March 30, 2015**, the College will submit documentation to OCR showing that the College's administrators, faculty, and student support staff and have completed this training. The documentation shall include: (1) the date of the training session(s); and (2) a list of names and titles of all College employees who participated in the training session.

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 implementing regulation at 34 C.F.R. § 104.61, and the Title II implementing regulation at 28 C.F.R. § 35.134 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. § 104.61, and the Title II implementing regulation at 28 C.F.R. § 35.134, 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.

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

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**President or designee**

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**Date**