

**Resolution Agreement
Calhoun Community College
OCR Docket #04-15-2077**

Calhoun Community College (College) agrees to resolve the allegation of discrimination on the basis of disability contained in complaint number 04-15-2077 filed with the U.S. Department of Education, Office for Civil Rights (OCR). The College submits this Resolution Agreement (Agreement) to ensure compliance with the requirements of 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 at 28 C.F.R. Part 35. This Agreement has been entered into voluntarily by the College and does not constitute an admission by the College that it is not in compliance with Section 504 or Title II or their implementing regulations.

Individual Remedy

By June 8, 2015, the College will offer to the Complainant to allow her to retake the Nursing 102 course, at no additional cost to the Complainant, and to engage in a new interactive process with the Complainant to determine what related aids and services she needs for Nursing 102 and all other additional courses at the College.

Reporting Requirement: By July 6, 2015, the College will provide documentation to OCR showing that it has communicated the offer stated above.

Training

By August 3, 2015, the College shall initiate annual training for personnel working in the College's Disability Services Office. The training should include information which explains the process requirements for providing services to students with a disability and the interactive process which is required in providing such services.

Reporting Requirement: By August 17, 2015, the College will provide OCR with a report confirming the initiation of the training sessions described in Item #2, including: (a) the background and qualifications of the presenters/trainers; (b) a copy of the materials used for the training; and, (c) a roster with name(s) and title(s) of all personnel who completed the training.

The College understands that OCR will not close the monitoring of this Agreement until OCR determines that the recipient has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504, at 34 C.F.R. § 104.44; and Title II, at 28 C.F.R. § 35.130, which were at issue in this case. The College also 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

Section 504 implementing regulation, at 34 C.F.R. § 104.44; and the Title II implementing regulation, at 28 C.F.R. § 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, 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.

President or Designee

Date

Printed Name and Title