

Bishop State Community College (Alabama)
Resolution Agreement
Complaint # 04-16-2300

Bishop State Community College (College) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR) to resolve the above- referenced complaint and 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. 12131-12134), as amended by the ADA Amendments Act of 2008 (ADA Amendments Act) (Pub. L. 110-325, 122 Stat. 3553 (2008)), and its implementing regulation at 28 C.F.R. Part 35. Accordingly, to ensure compliance with Section 504 and Title II and to resolve the issues of this investigation, the College voluntarily agrees to take the following actions:

Notice of College's ADA Advisor

1. Within forty-five (45) days of the date of the execution of this Agreement, the College will update its websites, Fact Sheet and Handbook, below, to reference the name and complete contact information for the College's ADA Advisor, The College will update the ADA Advisor's contact information in both online and print materials:

Student Disability Services Home Page:

<https://www.bishop.edu/student-services/student-disability-services/>

Disabled Services Fact Sheet:

<https://www.bishop.edu/pdfs/students/DisabledStudentServicesFactSheet.pdf>

ADA/Student Services Handbook:

<https://www.bishop.edu/wp-content/uploads/2011/03/ADA-BOOKLET-2017-FINAL.pdf>

2. Effectively immediately, the College will update the contact information for the ADA Advisor on its websites Fact Sheet and Handbook referenced in 3, below, in all online and print materials, within fourteen (14) days of the replacement of the current ADA Advisor, including the name and full contact information for the designation of acting an ADA Advisor.

REPORTING REQUIREMENT: Within sixty (60) days of the execution of this Agreement, the College will provide OCR with documentation that it has updated the contact information for the ADA Advisor on the websites and in the printed materials referenced in Item 1, above. The College will provide OCR with a copy of each publication and a link to the website with the reference to the ADA Advisor's contact information.

Training

3. Within sixty (60) days of the date of this Agreement for full-time faculty and Student Services staff, and within ninety (90) days of the date of this Agreement for adjunct faculty, the College will provide Section 504/Title II training to the College faculty and Student Services staff who assist students with the request and the provision of academic adjustments. The College will provide training on Section 504, Title II and the implementation of the College's *ADA/Disabled Student Services Handbook* to ensure that the College faculty and Student Services staff understand the appropriate process for responding to students' requests for academic adjustments.

REPORTING REQUIREMENT: Within seventy-five (75) days of the date of this Agreement for full-time faculty and Student Services staff, and within one hundred and five (105) days of the date of this Agreement for adjunct faculty, the College will provide OCR with documentation showing that it has provided training in accordance with Item 3. The documentation will include the following: (a) date(s) of the training, (b) the agenda, (c) a copy of handouts or any PowerPoint materials used during the training, (d) the name(s) and qualifications of the individual(s) who provided the training, (e) dated sign-in sheet(s) containing the names and titles of the individuals who attended the training, (f) the total number of staff members not in attendance and the measures taken by the College to ensure that each staff member is provided the training materials and an opportunity to ask questions to clarify the training materials..

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 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. §§ 1099.9, 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.

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 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.

Dr. Reginald Sykes, President
or designee
Bishop State Community College, Alabama

Date