

RESOLUTION AGREEMENT
St. Petersburg College (Florida)
OCR Case No. 04-19-2051

The U.S. Department of Education (Department), Office for Civil Rights (OCR) and the St. Petersburg College (College) enter into this Resolution Agreement (Agreement) to resolve the allegations in the above-referenced complaint. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the College. The College assures OCR that it will take the following actions to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. Section 794, and its implementing regulation at 34 C.F.R. Part, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. Sections 12131 et seq., and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance and public entities, respectively.

Prior to the completion of OCR's investigation, the College expressed an interest in resolving the complaint allegations and OCR determined that it was appropriate to resolve them with an agreement, pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve the issue of this investigation, the College agrees to take the following action.

Training

By August 1, 2019, the College shall provide training regarding the College's obligations to comply with the Section 504 and Title II provisions prohibiting discrimination on the basis of disability. The training shall cover the protocols for appropriate proctor behavior when proctoring low distraction testing.

Reporting Requirement

By September 1, 2019, the College will submit a report to OCR describing the training it provided consistent with the requirements of this Agreement. The College's report shall include at a minimum: the date and time of the training, the name and qualifications of the person providing the training, a copy of the materials provided to participants, a list of participants with position titles, and for any employees who were not able to attend the training, a list of these employees and a description of the College's plan to provide them with the training.

The College understands that by signing this Agreement, it agrees to provide the 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, 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 and Title II at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close 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. This Agreement will become effective immediately upon the signature of the College’s representative below.

By: _____/s/_____ Date: 7/30/2019 _____
Name and Title
St. Petersburg College

