RESOLUTION AGREEMENT
College of Central Florida
OCR Case No. 04-21-2179

The U.S. Department of Education, Office for Civil Rights (OCR) and the College of Central Florida (College) enter into this Resolution Agreement (Agreement) to resolve the allegations in the above-referenced complaint. 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), 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, which prohibit discrimination on the basis of disability by public entities and programs that receive Federal financial assistance from the Department.

Prior to the completion of OCR’s investigation, College asked to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual. OCR has not issued findings concerning issues of the above-referenced complaint. This Agreement does not constitute an admission of wrongdoing or liability by the College pursuant to Section 504, or Title II. Accordingly, to ensure compliance with Section 504, or Title II and to resolve the issues of this investigation, the College voluntarily agrees to take the following action:

ACTION ITEM #1:

• By December 31, 2021, the College will notify the Complainant that his withdrawal has been removed from his transcript for CHM1025 taken in the fall 2020.

REPORTING REQUIREMENT: By December 31, 2021 the College shall provide OCR with evidence that it has implemented Action Item #1 and provided notice of these actions to Complainant. This evidence should include Complainant’s transcript, correspondence and any other relevant documentation.

ACTION ITEM #2:

• By December 31, 2021, the College will offer in writing the Complainant the opportunity to retake the CHM1025 course (or course equivalent) free of charge within three years from the signing of this agreement.

REPORTING REQUIREMENT: By December 31, 2021, the College shall provide OCR with evidence that it has implemented this Action Item #2. This evidence may will include correspondence sent to the Complainant with the offer to take the class, the Complainant’s transcript and any other relevant documentation.

The College understands that by signing the resolution agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. Further, the College understands that during the monitoring of the resolution
agreement, if necessary, OCR may visit the recipient, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the recipient has fulfilled the terms and obligations of the resolution agreement. Upon the College’s satisfaction of the commitments made under the Agreement, OCR will close the case.

The College understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the resolution agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the College’s representative below.

By: __________/s/_______________ Date: _______10/1/2021__________

James D. Henningsen, President