

**Resolution Agreement
Enterprise State Community College
Complaint # 04-22-2077**

Enterprise State Community College (College) enters into this Resolution Agreement to resolve issues raised in Complaint #04-22-2077. The College assures OCR that it will take the following actions to comply with the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d, and its implementing regulation, 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin by recipients of Federal financial assistance from the Department of Education; Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulation, 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any education program or activity operated by a recipient of Federal financial assistance; and the Age Discrimination Act of 1975 (Age Act), 42 U.S.C. §§ 6101 *et seq.*, and its implementing regulation, 34 C.F.R. Part 110, which prohibit discrimination on the basis of age by recipients of Federal financial assistance.

Prior to the completion of OCR's investigation, the College agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's *Case Processing Manual*. This Agreement does not constitute an admission of wrongdoing or liability by the College pursuant to Title VI and Title IX. Accordingly, to ensure compliance with Title VI, Title IX, the Age Act, and their implementing regulations, the College voluntarily agrees to the following actions.

I. Title VI, Title IX, and Age Act Training

By **November 9, 2022**, the College will implement annual training and provide the first training session to all Alabama Aviation College faculty, directors, administrators, officials and other staff regarding the following: (a) the prohibition of discrimination based on race, color or national origin, sex, and age; (b) examples of behaviors by instructors as well as behaviors by other staff that constitute discrimination based on race, color or national origin, sex, and age; and (c) the disciplinary sanctions applicable to employees who engage in discrimination on the aforementioned bases.

Reporting Requirements: By **December 9, 2022**, the College will provide documentation to OCR demonstrating that training was provided consistent with this Item, including: (a) the name(s) and credentials of the individual(s) who conducted the training; (b) a list of the individuals who attended the training and their positions; (c) the date(s) the training was conducted; and (d) copies of any training materials disseminated, or a description of the content of the training if copies are not available.

II. Policy Updates

- a) By **November 9, 2022**, the College shall modify its policies and procedures to conform with the requirements of 34 C.F.R. §110.25, to include notice of the designated employee responsible for coordinating the College's efforts to comply with the Age Act and adopting a grievance policy that applies to students as well as others alleging an action prohibited by the Age Act or its regulation.

- b) By **November 9, 2022**, the College shall designate at least one employee to coordinate the College's efforts to comply with Title IX and refer to the individual as the "Title IX Coordinator," in compliance with the requirement of 34 C.F.R. §106.8(a).
- c) **Within 10 days** of receiving a response from OCR regarding its revised policies and procedures submitted to OCR in accordance with *item a* of the reporting requirements below, the College will: adopt, implement, and disseminate the policies and procedures to all current College staff and students, and publish the revised policies and procedures to its website.

Reporting Requirements: a) By **December 9, 2022**, the College will submit its revised policies and procedures to OCR for review. b) **By February 1, 2023**, the College will provide proof to OCR that it has adopted and published the revised policies and procedures.

III. Instructor Specific Action

Beginning with the fall 2022 semester through the fall 2023 semester, the College will conduct observations or evaluations of the Instructor's classes each semester and offer students the option to evaluate the Instructor's class including questions regarding the Instructor's treatment of students.

Reporting Requirements: Within 30 days of the end of the semester, the College will provide OCR with documentation to show the results of its observations and the students' evaluations.

By signing the resolution agreement, the recipient agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. 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 of the resolution agreement.

The recipient understands that OCR will not close the monitoring of the agreement until such time as OCR determines that the recipient is in compliance with the terms of the agreement and the statute(s) and regulation(s) at issue in the case.

The recipient understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (DOJ) for judicial proceedings to enforce the specific terms of the resolution agreement and the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the recipient written notice of the alleged breach and 60 calendar days to cure the alleged breach.

The resolution agreement will become effective immediately upon the signature of the College President or his/her Designee below.

/s/ Daniel Long

President
or Designee

8/4/2022

Date

Daniel Long, Vice President

Printed Name and Title, if signed by Designee