



RESOLUTION AGREEMENT
Houston Community College System
OCR Case Number: 06182103

Houston Community College System (HCC or Recipient) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office. By this Agreement, HCC commits to the following actions, consistent with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulations 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 regulations at 28 C.F.R. Part 35, to resolve the Complainant's allegations. This Agreement does not constitute an admission by HCC that it discriminated or otherwise engaged in any wrongdoing. HCC hereby voluntarily commits to these General Terms and Principles, and to the following Action Items and Reporting Requirements.

ACTION ITEMS & REPORTING REQUIREMENTS:

Action Item 1

- A. Within **ten (10) calendar days of the date of this Agreement**, HCC will notify the Student in writing, via Certified Mail Return Receipt Requested (CMRRR), of the following:
- i. The Student may retake Contemporary Mathematics (MATH 1332), with tuition and fees associated with the class waived, and with similar financial aid as the original course, as long as the Student completes this class by **August 31, 2019**.
 - ii. The “drop” that Student used for Contemporary Mathematics (MATH 1332) during the Fall 2017 semester will be credited back to her record, and will not be counted toward her total number of allowed drops.
 - iii. If the Student completes MATH 1332 by **August 31, 2019**, the “drop” that the Student received for this class during the Fall 2017 semester will be replaced with the grade she earns after retaking the class.

Reporting Requirements: Action Item 1

- A. Within **30 calendar days** of the execution of this agreement HCC will submit to OCR a copy of the notification letter sent to the Student and a copy of the receipt of the CMRRR, referenced in Action Item 1 above.
- B. If the Student enrolls in MATH 1332, within **30 calendar days** of the date the Student enrolls, HCC will provide OCR with the following:
- i. Documentation showing that HCC allowed the Student to take MATH 1332 (at no additional cost to the Student), and with similar financial aid as the original course;
 - ii. The “drop” the Student used for MATH 1332 during the Fall 2017 semester has been credited back to her record.
- C. If the Student completes MATH 1332, within **30 calendar days** of the date the Student completes the course, HCC will provide OCR with documentation indicating the following:

- i. The grade the Student earned in retaking MATH 1332 has replaced the “drop” the Student received for the course during the Fall 2017 semester;
- ii. The Student’s GPA has been recalculated according to the grade she received in retaking MATH 1332.

Action Item 2

Within **ten (10) calendar days of the date of this Agreement**, HCC shall contact the Complainant by Certified Mail Return Receipt Requested (CMRRR), to schedule a meeting regarding her desire to modify or continue her auxiliary aids and services if she enrolls at HCC. HCC will provide the Complainant with a minimum of ten (10) calendar days to respond, and will request that the Complainant’s response be in writing (e.g., email).

Reporting Requirements: Action Item 2

- a. Within **30 calendar days** after the execution of this agreement HCC will provide OCR with a copy of the certified letter sent to the Complainant in accordance with Action Item 2.
- b. Within **60 calendar days** after execution of this agreement; HCC will submit to OCR documentation (e.g., emails) indicating whether the Complainant has accepted HCC’s offer to meet and the scheduled date of the meeting.
- c. Within **90 calendar days** after execution of this agreement HCC will submit to OCR documentation (e.g., notification letter to the Student’s professor(s)) reflecting what academic adjustment(s), if any, HCC has agreed to implement for the Student during the Fall 2018 semester. If the student enrolls with HCC and requests academic adjustment(s) as discussed above. If HCC decided not to provide academic adjustments requested by the Student, HCC will include information supporting its decision to OCR, including any alternative adjustments offered by HCC.

Action Item 3

Within **90 calendar days** from date of the execution of this agreement HCC will conduct training session(s) on its obligation under Section 504 and Title II to provide academic adjustments, including auxiliary aids and services, as well as Section 504’s and Title II’s prohibitions of disability discrimination. The training must be provided to, at minimum, all relevant personnel, including, but not limited to, all counselors from the office for Disability Services (DS), as well as all faculty teaching a class during the Fall 2018 semester, and administration in the HCC Central Campus (School). The training will also focus on HCC’s obligation(s) under Section 504 and Title II to ensure faculty and staff members fully implement any academic adjustments, including auxiliary aids and services that have been developed for a qualified student with a disability. The training will be conducted by a person or persons knowledgeable about the requirements of Section 504 and Title II of HCC’s choice.

Reporting Requirements: Action Item 3

- a. Within **45 calendar days** after execution of this agreement and prior to the training required by Action Item 2, HCC will provide OCR, for review and approval, the following:
 - i. A copy of the training module and/or outline of the training materials that HCC will use;
 - ii. The name, title, credentials, and contact information for the person(s) who will conduct the training;
 - iii. The name, title, credentials, and contact information for the person(s) who invited to attend the training;
 - iv. Assurance that the list referenced in Reporting Requirement 3(a)(iii) constitutes the entirety of the personnel required to attend the training per Action Item 3; and
- b. Within **45 calendar days** after receiving OCR's approval of the training materials referenced above, HCC will provide OCR with detailed information regarding the training conducted pursuant to Action Item 3, including the following:
 - i. Sign-in sheets for each training session(s) showing all personnel who attended the training(s);
 - ii. Assurance that the attendees constitute the entirety of the personnel required to attend the training per Action Item 3;
 - iii. The date of the training session(s);
 - iv. A copy of the training materials used; and
 - v. The name, title, credentials, and contact information of the person(s) who provided the training.

The Recipient understands that by signing the Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the Recipient understands that during the monitoring of the 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 Agreement.

Upon the Recipient's satisfaction of the commitments made under the Agreement, OCR will close the case.

The Recipient understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR shall give the Recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

EXECUTION:

On behalf of the Houston Community College System, I hereby agree to and voluntarily submit this Resolution Agreement to the U.S. Department of Education, Office for Civil Rights, Dallas Enforcement Office.

Dr. Cesar Maldonado
Chancellor
Houston Community College System

Date