



RESOLUTION AGREEMENT
College of Health Care Professions
Northwest Houston Campus
OCR Case Number: 06-18-2153

The U.S. Department of Education, Office for Civil Rights, (OCR) and the College of Health Care Professions – Northwest Houston Campus (College or recipient) enter into this 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. § 794, and its implementing regulations at 34 C.F.R. Part 104. Section 504 prohibits discrimination on the basis of disability 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*. Accordingly, to resolve the issues of this investigation, the College agrees to take the following action.

A. ACTION ITEMS & REPORTING REQUIREMENTS:

Action Item 1 – Revise and Disseminate Section 504 Notice of Nondiscrimination & Grievance Procedures

1. **By November 1, 2018**, the College will revise and disseminate its notice of nondiscrimination, grievance procedures, and designation of a responsible employee pursuant to the Section 504 implementing regulations at 34 C.F.R. §§ 104.7–104.8. This notice will make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Section 504 and its applicability to the College's services, programs, and activities.

Reporting Requirements: Action Item 1

- a. **By October 1, 2018**, the College will provide OCR, for review and approval via email, with copies of the revised Section 504 notice, grievance procedures, and designation of a responsible employee referenced in Action Item 1 of the Agreement.
- b. Within **2 weeks** of receiving OCR's approval described in Reporting Requirement (a) for Action Item 1 of this Agreement, the College will provide OCR with documentation evincing how, when, and by what means the revised policy was disseminated to students and employees.

Action Item 2 – Conduct Section 504 Training

2. **By February 1, 2019**, the College will conduct staff training regarding the College's responsibilities under Section 504. The training must be provided to all staff at the College, including, but not limited to, administrators, faculty, and counselors. Additionally, the training will be conducted by individuals knowledgeable about the laws and issues pertaining to Section 504, and may be delivered to College employees in an

electronic format. Further, the training will include instruction on what type of conduct constitutes prohibited behavior, including examples of said conduct; the College's policies and regulations that prohibit said conduct; and resources available to students who experience said conduct. The training will address:

- a. The College's revised notice and procedures adopted and disseminated pursuant to Action Item 1 of this Agreement;
- b. The College's obligation, pursuant to the Section 504 implementing regulation located at 34 C.F.R. § 104.4, to refrain from treating individuals differently on the basis of disability in a manner that limits the ability of individuals to effectively participate in or benefit from the services, activities, or privileges provided by the College; and
- c. The College's obligation, pursuant to the Section 504 implementing regulation located at 34 C.F.R. § 104.4, to take prompt and effective responsive action to address disability-based harassment by faculty and staff, which is sufficient to constitute a hostile environment, of which the College has or should have notice.

Reporting Requirements: Action Item 2

- a. **By November 1, 2018**, the College will provide OCR, for review and approval via email prior to conducting the training, information about the training described in Action Item 2. This information will include, but not be limited to, a copy of all training modules, handouts, and materials that will be utilized during the training session(s); the name, credentials, and contact information of the individual(s) who will conduct the training; and a proposed plan/notification that the College will use to inform attendees of the mandatory training session(s) (e.g., topics to be discussed), which may be presented to College employees at multiple sessions.
- b. **Within sixty (60) calendar days** after OCR approves the training-based information described in Reporting Requirement (a) for Action Item 2 of this Agreement, the College will conduct the training for all College staff as approved by OCR and will provide OCR with detailed information regarding the training. This information will include, but not be limited to, sign-in sheets for all training sessions evidencing all staff who attended the training; the date the training session(s) were conducted; a copy of the training materials used; and the name, credentials, and contact information of the individual(s) who provided the training to comply with Action Item 2.

Action Item 3 – [XXXX to end of Reporting Requirement]

B. GENERAL TERMS & PRINCIPLES:

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. Upon the College's satisfaction of the commitments made under this Agreement, OCR will close the case and provide the College with written confirmation that it has closed the 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. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR will give the College written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

C. EXECUTION:

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

Printed Title & Name of Authorized College Official

Date

Signature of College Official