

**Resolution Agreement**  
**Central New Mexico Community College**  
**Complaint No. 08-15-2032**

In order to resolve the allegations that the College failed to provide a student with a prompt and equitable resolution of her formal complaint of disability discrimination in case number 08-15-2032, filed against Central New Mexico Community College and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR) pursuant to Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 (Section 504) 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. §§ 12131–65, and its implementing regulation at 28 C.F.R. part 35, the District agrees to implement the following Resolution Agreement:

The College will review and revise its Section 504 and Title II grievance procedures to address complaints as required by Section 504 and Title II implementing regulations at 34 C.F.R. § 104.7(b) and 28 C.F.R. § 35.107(b). The College will ensure that these procedures provide for the prompt and equitable resolution of complaints alleging disability discrimination and will include the following:

- a. Notice of the grievance procedures to students and employees, including where complaints may be filed, that is easily understood, easily located, and widely distributed;
- b. Application of the grievance procedures to complaints alleging disability discrimination or harassment by employees, students, or third parties;
- c. Adequate, reliable, and impartial investigation of complaints, including the opportunity for the complainant to present witnesses and evidence;
- d. Designated and reasonably prompt time frames for the major stages of the grievance process, as well as the process for extending timelines;
- e. Written notice to the complainant and of the outcome of the complaint;
- f. An assurance that the College will take steps to prevent recurrence of any disability discrimination and to correct its discriminatory effects on the complainant and others, if appropriate.

Reporting Requirement:

By \_\_\_\_\_ **2015**, the College will provide OCR, for OCR's approval, its draft Section 504/title II grievance procedures demonstrating completion of the Agreement.

- a. Within **10 days** of adoption and publication of the Section 504/title II grievance process, the College will provide OCR written verification that the Section 504/title II grievance process was adopted and published.

- b. The College will prepare training specifically for presentation to its staff, including administrators and any other College personnel charged with participating in Section 504/Title II proceedings.
- c. The College will consider and respond to any feedback from OCR with respect to the draft training package and identification of the trainer(s). Within **60 days** of OCR's approval of both, the College will provide the training to the staff.
- d. Within **10 days** of conducting the training, the College will provide OCR copies of the sign-in sheets from the training and written verification that the staff completed the training.

The College understands that OCR will not close the monitoring of this Agreement until OCR determines that the College has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II, which were at issue in this case.

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 the Agreement, if necessary, OCR may visit the College, interview College employees 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 regulation implementing Section 504 and Title II, which were at issue in 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. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR shall give the College written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

**For Central New Mexico Community College:**

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[Name]  
[Title]

Date