

**Resolution Agreement**  
**Central New Mexico Community College**  
**Complaint No. 08-15-2248**

In order to resolve compliance concerns discovered in the investigation of the above-referenced complaint filed against Central New Mexico Community College (College) and opened for investigation by the U.S. Department of Education, Office for Civil Rights pursuant to Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106, Section 504 of the Rehabilitation Act of 1973, 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, 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35, the College agrees to implement the following terms of this Resolution Agreement.

1. The College will provide the written findings and conclusions of its investigation of the complainant's complaint of sexual harassment to the complainant and the Employee identified in the complaint.

**REPORTING REQUIREMENT 1:** By **June 30, 2017**, the College will provide OCR with its written investigative findings related to the complainant's sexual harassment complaint and will confirm in writing that it has taken action to notify the parties involved in the case of its findings and corrective actions taken (if any).

2. The College will review and revise its policies, procedures and practices (policies and procedures) for the provision of the accommodation of extended time to take tests and quizzes for students with disabilities, who request such accommodation. The College will eliminate its limitation of extended time to take tests and quizzes to double that provided to nondisabled students. OCR will review the draft policies and procedures to ensure their consistency with 34 C.F.R. 104.44.

**REPORTING REQUIREMENT 2:** By **June 30, 2017**, the College will provide for OCR's review and approval a copy of the draft revisions to the College's policies and procedures.

3. OCR will provide feedback to the College concerning its draft policies and procedures where warranted. Within 30 days of OCR's approval of the draft policies and procedures, the College will adopt and implement the revised policies and procedures.

**REPORTING REQUIREMENT 3:** Within 30 calendar days of its final adoption of the revised policies and procedures, the College will provide documentation to OCR establishing that it has adopted and implemented these policies and procedures.

4. After adopting the new policies and procedures, the College will provide training highlighting the changes to the policies and procedures to Disability Resource Center (DRC) staff and administrators and all individuals who regularly interact with students with disabilities who are responsible for implementing accommodations approved by the DRC.

**REPORTING REQUIREMENT 4:** Within 20 calendar days of providing the training, the

College will provide OCR with documentation that it has conducted the required training and will provide the following information: the date(s) the training was conducted; a list of staff, faculty and administrators, by name and title, who participated in the training and copies of any written materials (i.e., slides, handouts) used or distributed during 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 Title IX, 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 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 regulations implementing Title IX, 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 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 College written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

For Central New Mexico Community College:

/S/

April 4, 2017

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Phil Bustos  
Vice President of Student Services

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Date