

**Resolution Agreement  
Rio Salado College  
Complaint Number 08-16-2082**

In order to resolve the open allegations in Case Number 08-16-2082, filed against Rio Salado College (“the College”) with the Office for Civil Rights (OCR) of the U.S. Department of Education, pursuant to Section 504 of the Rehabilitation Act of 1973 (“Section 504”), 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 (“Title II”), 42 U.S.C. §§ 12131–65, and its implementing regulation at 28 C.F.R. part 35, the College agrees to implement the following Resolution Agreement.

**Term I: Policies and Procedures**

- A. Within sixty (60) calendar days of this Agreement being signed, the College will submit to OCR either:
- i. Written assurances that the Biology Department will follow College-wide policies and procedures with regard to students with disabilities, and will not utilize its own (formal or informal; written or unwritten) policies and procedures; or
  - ii. Draft revised policies and procedures with respect to students with disabilities who consider taking or who are enrolled in Biology courses, including addressing the use of academic adjustments and modifications, and auxiliary aids and services, and ensuring that the policies and procedures comply with Section 504 and Title II.
- B. If the College chooses the option described in Term I(A)(i) of this Agreement, within ninety (90) calendar days of this Agreement being signed, the College will submit to OCR for approval copies of all Biology Department documents and websites (including, but not limited to, course welcome letters and syllabi) that must be revised to reflect the fact that the Biology Department will follow College-wide policies and procedures with regard to students with disabilities.

If the College chooses the option described in Term I(A)(ii) of this Agreement, within thirty (30) calendar days of receiving OCR’s final approval of the revised policies and procedures, the School will provide to OCR for approval: a copy of the final, revised policies and procedures; and copies of all Biology Department documents and websites (including, but not limited to, course welcome letters and syllabi) that must be revised to reflect the revised policies and procedures.

**Term II: Training**

- A. Within sixty (60) calendar days of receiving notice from OCR that Term I has been fulfilled, the College will submit to OCR for approval: draft materials to train all faculty and staff in the College’s Academic Advisement, Disability Resources and Services, and Biology Departments regarding disability discrimination; and the name(s), title(s) or

position(s), and qualifications of one or more qualified individuals to provide the training to staff. The training will cover, at a minimum:

- i. Academic and course advising and counseling;
  - ii. Eligibility for and use of academic adjustments and modifications;
  - iii. Auxiliary aids and services; and
  - iv. Changes related to Term I of this Agreement.
- B. Within sixty (60) calendar days of receiving OCR's final approval of the materials and trainer(s), the College will provide the training.
- C. Within thirty (30) calendar days of the training being provided, the College will provide to OCR:
- i. The date(s), time(s), and location(s) of the training(s);
  - ii. Confirmation that the approved trainer(s) delivered the training(s);
  - iii. The agenda and materials from the training(s);
  - iv. The names and titles of all staff who attended the training(s); and
  - v. The name(s) and title(s) of all staff who did not attend the training(s), and an explanation for his/her/their absence(s).

### Term III: Reporting

- A. By December 31, 2017, the College will submit to OCR:
- i. All disability-related complaints, both informal and formal, reported or filed by students regarding the implementation of academic adjustments in Biology courses; and
  - ii. The College's response to each complaint.

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 employees and students of the College, 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 sixty (60) calendar days to cure the alleged breach.

For Rio Salado College:

/s/  
Chris Bustamante, President

April 13, 2017  
Date