

RESOLUTION AGREEMENT

Arizona College OCR Case Number 08-17-2017

In order to resolve issues that arose during the investigation of OCR case number 08-17-2017, filed against Arizona College (College) and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR), the College agrees to implement this Resolution Agreement. This case investigation was initiated pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), and its implementing regulation at 34 C.F.R. §§ 104.7-104.8, 104.44.

1. Notice of Section 504 Coordinator and Notice of Non-Discrimination: The College will review and revise its notice of nondiscrimination and notice of its Section 504 compliance officer, so that the policies and procedures and notices are compliant with Section 504. See 34 C.F.R. §§ 104.7–104.8.

REPORTING REQUIREMENTS:

- By May 10, 2017, the College will submit to OCR for review and approval the College's draft notice of non-discrimination and draft notice of the compliance officer.
 - Within 60 days of OCR's approval of the notices of nondiscrimination and Section 504/ compliance officer, the College will adopt the approved policy and procedures and notices, and provide notice of these to College students. The notice may be accomplished by placing information regarding the notice of the Section 504 compliance officer and notice of non-discrimination on the College's website.
 - Within 60 days of the adoption of the OCR's approved notices, the College will provide OCR with supporting documentation to show the approved notices were adopted and notice given. Supporting documentation will include 1) weblinks to each place where the notice of Section 504 coordinator and notice of non-discrimination are posted on the College's website, 2) student handbooks, or 3) other similar documents notifying students of the changes to the College's notice of the Section 504 Coordinator and notice of non-discrimination.
2. The College will ensure that the OCR-approved notice of Section 504 Coordinator and notice of non-discrimination are disseminated to all staff in the College. The College will email to all staff the notices within 60 days of the adoption of the OCR's approved notices.

REPORTING REQUIREMENT:

- Within of 60 days of the adoption of the OCR's approved of the policies, the College will provide OCR with a copy of the email that was disseminated to staff members.
3. The College will identify and annually train the staff members at the College who are responsible for reviewing disability accommodation requests.

REPORTING REQUIREMENTS:

- By July 10, 2017, the College will provide OCR with a copy of the training agenda, training materials, list of identified employees, and identify the trainer and her/his qualifications to provide the training, for OCR's review and approval.
 - Within 60 days of OCR's approval of the trainer and training materials, the College will provide OCR with a copy of all handouts provided during or before the training, a list of all staff identified to receive the training, and a sign-in sheet for those attending the training.
4. Before the start of the Complainant's Fall 2017 semester, the contact person designated pursuant to Paragraph 2 will meet, together with other support personnel deemed reasonable and necessary by the contact person, with the Complainant to discuss how the College can meet her reasonable accommodation needs in her remaining semester(s), particularly dealing with her disability that require varying and intermittent needs and the need to accommodate XXX based on XXX, and to agree on and approve any reasonable accommodations that will be implemented for that semester, including those reasonable accommodations which the College has previously agreed to provide, when relevant to each of the Complainant's specific courses. The College will ensure that the Complainant receives her approved accommodations for each of her remaining semester(s). Either the College or the Complainant may request to revisit the accommodations through the interactive process at any time.

REPORTING REQUIREMENTS:

- Within 90 days of this Agreement, the College will submit to OCR documentation showing implementation of Paragraph 4, including a copy of any meeting minutes, and any other documentation relevant to the determinations reached in accordance with Paragraph 4. OCR will review the documentation submitted to ensure that the College met the procedural requirements of the regulation implementing Section 504, in making these determinations, and notify the College when it has completed this review.
 - Within 90 days of this Agreement, the College will provide the Complainant with a statement of the approved accommodations.
5. The College will provide the Student's instructors for the 2017-18 academic year with notice of the Student's approved academic adjustments and require written acknowledgment from each instructor of the notice, an acknowledgement of his/her understanding of the required accommodations, and agreement to implement the approved academic adjustments.

REPORTING REQUIREMENT:

- Within 10 days of the completion of the requirements in Paragraph 4, the College will submit to OCR documentation showing implementation of Paragraph 5, including a copy of the Student's class schedule for Fall 2017, which includes the names of the Student's instructors, and a copy of each instructor's signed acknowledgement.

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 of the Rehabilitation Act of 1973, which was 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.

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 of the Rehabilitation Act of 1973, which was at issue in this case.

For Arizona College:

/s/ _____ April 4, 2017
Name Date

Title