

Resolution Agreement
Antelope Valley College
OCR Case No. 09-16-2319

In order to resolve the concerns raised in the investigation of the above-referenced complaint by the U.S. Department of Education, Office for Civil Rights (OCR) under Section 504 of the Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Act of 1990, as amended (Title II), Antelope Valley College (the College), without admitting to any violation of federal law, agrees to take the actions outlined in this Resolution Agreement (Agreement).

I. Written Guidance and Training

- A. The College will issue written guidance to all staff in the Office for Students with Disabilities (OSD) about the required procedures for responding to requests for accommodations. That procedure will include a requirement that staff engage in an interactive process to determine what accommodations are necessary, and that OSD makes a written determination about what accommodations are authorized by the College. If the College chooses to apply different procedures for students with temporary disabilities, the written guidance will specify those procedures. The College may choose to revise Administrative Procedure 5140 instead of or in addition to providing separate written guidance regarding the issues described in this section.
- B. The College will conduct training for all OSD staff regarding the materials covered in the written guidance.

II. Monitoring and Reporting

- A. By September 12, 2017, the College will provide a draft to OCR for review and approval of the written guidance and/or any changes to Administrative Procedure 5140. If the College intends to utilize any training materials for the training required in Section I.B other than the written guidance or procedures, those will also be submitted to OCR for review and approval by the same date.
- B. Within 60 days of OCR's approval of the written guidance and/or administrative procedure and any training materials, the College will provide documentation to OCR that the written guidance and/or revised administrative procedure was distributed and that all OSD staff were trained. The documentation will include a sign-in sheet or other evidence showing training attendance by name and title of attendees, a copy of the materials distributed at the training, the name and title of the trainer(s), and the date of the training.

The College understands that OCR will not close the monitoring of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504 and Title II at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, 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 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 and is in compliance with the regulations implementing Section 504 and Title II at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, 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) days to cure the alleged breach.

_____/s/_____

____03/28/2017_____

Mark A. Bryant

Date

Assistant Superintendent/Vice President of Human Resources
Antelope Valley College