

Resolution Agreement
Orange Coast College
OCR Case Number 09-17-2403

The Orange Coast College (College) agrees to implement this Resolution Agreement (Agreement) to resolve the violations identified 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) and their implementing regulations in the above-referenced OCR case number.

I. COMPLAINT PROCEDURES AND MEMORANDUM OF SECTION 504/TITLE II NON-DISCRIMINATION

- A. The College¹ will revise its written discrimination complaint procedures, including BP/AP 3410 Nondiscrimination, BP/AP 3430 Prohibition of Harassment, and BP/AP 3435 Discrimination and Harassment Investigations, to clearly state that the disability non-discrimination provisions apply to any person, including third parties, who believes that discrimination may have occurred, regardless of whether they personally experienced such harm, and that any person, may file complaints of discriminatory harm with the College. The College will revise its publications and website to replace the references to and summaries of the prior discrimination complaint procedure with the revised procedures. The College will also update all references on its website and publications regarding how and to whom complaints of discrimination should be provided.

REPORTING REQUIREMENTS:

By May 31, 2018 the College will provide OCR with the proposed changes to the discrimination complaint procedures for OCR review and approval. Within 20 days of approval from OCR, the College will provide OCR with documentation that the changes have been adopted. If the changes have not been adopted within the 20 days, the College will immediately notify OCR and provide any relevant information as to when the changes will be adopted. By August 31, 2018, the College will provide OCR with copies of the applicable pages from its revised publications and, web links showing that the College's website has been updated.

- B. The College will issue a memorandum to all administrators, department heads, full-time faculty, counselors, and other staff or administrators who interact with students and prospective students, emphasizing the College's non-discrimination policies and clarifying the College's discrimination complaint procedures. The memorandum will identify the administrators currently responsible for the complaint process, and what administrators, faculty and staff should do when someone indicates they wish to make a complaint of discrimination.

¹ While this Agreement is only with Orange Coast College, the term "College" as stated herein, is used to include the Coast Community College District (District) because the proposed complaint policies and procedures under revision are District policies and procedures.

REPORTING REQUIREMENTS:

By August 31, 2018 the College will provide OCR with a draft of the memorandum for OCR review and approval. Within 20 days of approval from OCR, the College will provide OCR with documentation that the memorandum has been issued.

II. Monitoring

- A. The College understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the College understands that during the monitoring of this Agreement, 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 Section 504 and Title II and their implementing regulations, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this case.

- B. 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.

_____/s/_____
Dennis Harkins, Ph.D.
President
Orange Coast College

_____01/23/2018_____
Date