

RESOLUTION AGREEMENT

I. INTRODUCTION

Lane Community College (college) enters into this agreement to resolve the allegation in a complaint (OCR Reference No. 10182003) filed with 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 (Title II), and the regulations that implement those statutes at 34 CFR Part 104 and 28 CFR Part 35.

II. RESOLUTION AND REPORTING PROVISIONS

A. Policies and Procedures

1. Action Steps

- a. The college will review and revise, as needed, its policies and procedures (procedures) regarding the provision of academic adjustments and auxiliary aids to students with disabilities to ensure that:
 - (1) The procedures are consistent with the requirements of Section 504 and Title II.
 - (2) When a student makes a request for an academic adjustment or auxiliary aid and submits medical documentation to support the request, the college makes its determination regarding the student's eligibility for the academic adjustment or auxiliary aid in a timely manner. If the college determines that additional medical documentation is needed to support a request for an academic adjustment or auxiliary aid, the college promptly notifies the student of the additional documentation that is needed.
 - (3) The procedures include a description of the process that will be followed when a determination is made by the college that a student's request for an academic adjustment or auxiliary aid is denied, including an assurance that the student will be provided with timely written notice of the determination, a specific rationale for the decision, and a description of the college's appeal process.

- b. Within 30 days of receiving OCR’s written approval of the college’s procedures, the college will officially adopt and fully implement the procedures.
2. Reporting Steps
 - a. **By December 3, 2018**, the college will submit to OCR, for its review and approval, a copy of the procedures developed in accordance with Section II.A.1.a(1)-(3). If OCR requires changes to the procedures, the college will re-submit the procedures to OCR within 30 days of receiving notice of the revisions required by OCR. OCR and the college will follow the same process until OCR approves the procedures.
 - b. Within 75 days of receiving OCR’s written approval of the college’s procedures, the college will provide documentation to OCR demonstrating its compliance with Section II.A.1.b, including a copy of the final procedures and evidence of the adoption, distribution, and implementation of the procedures.

B. Notice

1. Action Step: The college will provide written notice to all students and Center for Accessible Resources (CAR) staff which informs them of the following:
 - a. Any revisions made to the college’s procedures, pursuant to section II.A.1.a.
 - b. The college’s commitment to complying with Section 504 and Title II, including its obligation to makes determinations regarding a student’s eligibility for academic adjustments and auxiliary aids in a timely manner, and to promptly notify a student if the college determines that additional medical documentation is needed to support the student’s request for an academic adjustment or auxiliary aid.
 - c. The process that will be followed when a determination is made by the college that a student's request for an academic adjustment or auxiliary aid is denied.
2. Reporting Steps
 - a. Within 30 days of receiving OCR’s approval of the college’s procedures, the college will submit to OCR, for its review and approval, a copy of its proposed notice. If OCR requires revisions to the notice, the college will

re-submit the notice to OCR within 30 days of receiving the revisions required by OCR. OCR and the college will follow the same process until OCR approves the college's notice.

- b. Within 30 days of receiving OCR's written approval of the notice, the college will provide OCR with a copy of the final notice and a description of where and how the notice was distributed to students and CAR staff.

C. Student-Specific Actions

1. Action Step: the college will provide a letter to the student which will include:
 - a. An explanation of the college's commitment to provide necessary academic adjustments and auxiliary aids to students with disabilities pursuant to Section 504 and Title II.
 - b. A notice of the college's intent to review and revise as needed the college's procedures to ensure compliance with Section 504 and Title II, or a copy of the procedures developed in accordance with Section II.A.1.a.
 - c. An offer to retake one or more of the following course(s) at no cost and replace the better grade on the student's transcript: Human Relations at Work, MS Word for Business, Introductory Chemistry, Global Climate Change, Co-op Education: Sustainability Coordinator, Math Literacy, and MS Excel.
 - d. The letter will allow the student 30 days from the date of the letter to accept the offer in II.C.1.c.

2. Reporting Steps:

- a. **By December 3, 2018**, the college will submit to OCR, for its review and approval, a copy of the letter to the complainant. If OCR requires revisions to the letter, the college will re-submit the letter to OCR within 30 days of receiving notice of the revisions required by OCR. OCR and the college will follow the same process until OCR approves the college's letter.

Within 30 days of receiving OCR's written approval of the letter, the college will provide OCR a copy of the final letter sent to the student.

III. GENERAL PROVISIONS

- A. The college understands that by signing this agreement, it agrees to provide OCR data and other information in a timely manner in accordance with the reporting requirements of the agreement. Further, the college understands that during the monitoring of this agreement, if necessary, OCR may visit the college campus, 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. Upon completion of the obligations under this agreement, OCR shall close 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 will give the college written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

Signed:

_____/s/_____
Dr. Margaret Hamilton
President
Lane Community College

October 22, 2018
Date