

RESOLUTION AGREEMENT
Wake Technical Community College
OCR Complaint No. 11-17-2201

Wake Tech Community College (the College) agrees to fully implement this Resolution Agreement (Agreement) to resolve the allegations investigated in Office for Civil Rights (OCR) Complaint No. 11-17-2201. This Agreement does not constitute an admission by the College of a violation of Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (Title II), or any other law enforced by OCR.

Action Item A

The College will revise its disability services materials to make clear that qualified students with disabilities may be entitled to non-academic accommodations under Section 504 and Title II, including during disciplinary proceedings or a grievance process; and publish revised program materials that provide such information on the College's Disability Support Services (DSS) website, as well as in appropriate College documents, including documents containing information about the disciplinary and grievance processes.

Reporting Requirements:

- a. By November 15, 2021, the College will submit to OCR its revised disability services materials for OCR's review and approval.
- b. Within 60 days of OCR's written approval of the revised disability services materials, the College will provide OCR with appropriate evidence demonstrating that the materials have been published in a variety of places on the College's website and in appropriate College documents, including documents containing information about the disciplinary and grievance processes.

Action Item B

The College will train staff and administrators involved in student enrollment, registration, or discipline in the XXXXX program on Section 504 and Title II protections for students with disabilities, as well as the College's process for students with disabilities to request academic and non-academic accommodations in all College programs and activities, and on responding appropriately to such requests. The training should address, at a minimum, the College's obligations and procedures for receiving, assessing, and implementing requests for accommodations from students, parents, or guardians, including in the enrollment process and during disciplinary proceedings.

Reporting Requirements:

- a. By November 30, 2021, the College will submit to OCR, for OCR's review and approval, a copy of the proposed training materials and the name(s), position title(s), and qualifications of the individual(s) who will conduct the training.

- b. Within 60 days of receiving OCR's approval, the College will conduct the training and provide verification to OCR, including: (a) the name of the individual(s) who conducted the training; (b) the date(s) of the training session(s); (c) all training materials; and (d) a sign-in sheet with the names, signatures, and position titles of the College personnel who participated in each training session.

Action Item C

The College will: review and revise its disability grievance procedures to comport with Section 504 and Title II standards for the prompt and equitable resolution of complaints; publish and widely disseminate information on and references to the revised disability grievance procedures on its website and in appropriate publications; and train those College staff and administrators who are responsible for their implementation on the revised disability grievance procedures.

The College's disability grievance procedures will provide for: (i) adequate notice of the procedures to students, parents, and employees, including where to file grievances and that the procedures apply not only to determinations of or provision of disability-related services and accommodations, but to all allegations of disability discrimination; (ii) adequate, reliable, and impartial investigation of grievances, including the chance to present witnesses and other evidence; (iii) designated and reasonably prompt timeframes for major stages of the grievance process; (iv) written notice to the parties of the outcome of the grievance process; and (v) an assurance that steps will be taken to prevent recurrence of any discrimination and to correct its effects.

Reporting Requirements:

- a. By December 15, 2021, the College will submit to OCR its revised disability grievance procedures for OCR's review and approval.
- b. Within 30 days of OCR's written approval of its revised disability grievance procedures, the College shall provide OCR with appropriate evidence demonstrating that it has adopted the approved grievance procedures, disseminated information about the revised grievance procedures to students, parents/guardians, faculty, staff, and administrators, and published the revised grievance procedures on the College's website and in appropriate publications, such as College handbooks and catalogs.
- c. Within 45 days of the approval of the grievance procedures, the College will submit to OCR for OCR's review and approval a copy of the proposed training materials on the disability grievance procedures and the name(s), position title(s), and qualifications of the individual(s) who will conduct the training.
- d. Within 30 days of receiving OCR's approval on the grievance procedure training materials, the College shall conduct the training and provide verification to OCR, including: (a) the name of the individual(s) who conducted the training; (b) the date(s) of the training session(s); (c) all training materials; and (d) a sign-in sheet with

the names, signatures, and position titles of the College personnel who participated in each training session.

Action Item D

If the Student re-enrolls in the College, the College will offer the Student the opportunity to coordinate with a point person from Disability Support Services who will meet with the Student and the Complainant to discuss the disability accommodation process.

Reporting requirement: Within 30 days of the Student re-enrolling, the College will provide OCR with documentation that it offered the Student the opportunity specified above, the Student's response to the offer, the name and title of the person appointed, and the content of any meeting(s) the point person had with the Student and the Complainant.

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 the 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 and obligations of this Agreement. Upon the College's satisfaction of the terms and obligations of this Agreement, OCR will close this case.

The College understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statutes and regulations. Before initiating such proceedings, OCR will give the College written notice of the alleged breach and 60 calendar days to cure the alleged breach.

By: D. Gayle Greene _____ Date: 11-4-21
Executive Vice President and Chief Operations Officer