

**Resolution Agreement
Lansing Community College
OCR Docket #15-13-2192**

Lansing Community College (the College) voluntarily submits the following Agreement (the Agreement) to the U.S. Department of Education's Office for Civil Rights (OCR) to ensure compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, as well as Title II of the Americans with Disabilities Act of 1990 (ADA), 42 U.S.C. §12131 *et seq.* and its implementing regulation at 28 C.F.R. Part 35, and to resolve the above-referenced complaint. Through signing this Agreement, the College does not admit any violations of any federal, state, or local laws. The College agrees to take the following actions:

Action Steps

1. By December 1, 2014, the College will send to the Student a letter via certified mail and e-mail. The letter will notify the Student that:
 - a. should the Student decide to return to the College, the College, through its Center for Student Access (CSA) (formerly, the Office of Disability Support Services), will review and respond to any request made by the Student for academic adjustments, modifications, and/or auxiliary aids and services to address her disability/disabilities that are supported by medical documentation provided by the Student to the College, pursuant to the College's process for making such requests;
 - b. should the Student return to the College, and upon notification to the CSA of the need for academic adjustments, modifications and/or auxiliary aids and services to address her documented disability/ disabilities, the College will, through an interactive process to be engaged in by both the College and the Student, attempt to identify academic adjustments and/or modifications and/or auxiliary aids and services to be implemented or provided to address the Student's disability/disabilities, and that the interactive process will include attempts at identification of academic adjustments and/or modifications to address any documented disability-related need by the Student for her classrooms and labs to be free from the sounds of eating, drinking, and chewing, that do not require a substantial change in the curriculum or alteration of any essential elements or functions of the course, program, service or activity in which the Student wishes to participate;
 - c. should the Student experience difficulty receiving any of the approved academic adjustments and/or modifications and/or auxiliary aids and services, the Student is encouraged to notify the CSA so that the CSA can attempt to remediate the problem, or so that the CSA and the Student may continue to engage in the interactive process to identify other academic adjustments, and/or modifications

and/or auxiliary aids and services to address the Student's disability or disabilities.

Reporting Requirements

- A. By December 15, 2014, the College will provide OCR with documentation to verify its implementation of Action Step 1, including a copy of the letter, delivery receipt, and any response from the Student.

- B. By January 15, 2015, the College will provide OCR with information documenting whether the Student re-enrolled for the 2014-2015 academic year. The documentation should also demonstrate that, if requested by the Student, the College evaluated the Student's need for academic adjustments, and/or modifications and/or auxiliary aids and services based on the CSA's process for receiving and evaluating such requests. The documentation should further identify the results of the CSA's evaluation, and describe any academic adjustments, and/or modifications and/or auxiliary aids and services approved for the Student, and verify the use of an interactive process between the Student and the College to identify the academic adjustments and/or modifications and/or auxiliary aids and services.

General Requirements

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 the regulation implementing Section 504 at 34 C.F.R. § 104.44, which was at issue in this complaint.

The University 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 regulation implementing Section 504 at 34 C.F.R. § 104.44.

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.

/s/

12/4/14

University President or designee

Date