

JACKSON COMMUNITY COLLEGE
Resolution Agreement
OCR Docket #15-20-2247

Jackson Community College (the College) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), for the purpose of resolving the above-referenced complaint and ensuring compliance with Section 504 of the Rehabilitation Act of 1973, 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, 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35. This Agreement is being voluntarily submitted by the College under Section 302 of OCR's *Case Processing Manual* and before the completion of OCR's investigation and any issuance of findings.

The College agrees to take the following actions:

- I.** By **April 1, 2021**, the College will complete necessary steps, if any, to return the Student's XXX XXX XXX for XXX XXX XXX.

Reporting Requirement: By **April 1, 2021**, the College will provide OCR with documentation (e.g., a copy of correspondence to the Student, internal e-mails, copies or printouts of the Student's financial records) showing that the College has implemented Item I, which shall confirm that the College XXX XXX XXX and that payments made on behalf of the Student (XXX) were refunded to the proper party.

- II.** By **June 1, 2021**, the College's Center for Student Success shall revise its procedures for the provision of academic adjustments and auxiliary aids and services to clarify its application to students subject to skills assessments in classes and in clinical settings. The revised procedures will, at a minimum, require the following:

- a. A process for determining if academic requirements are "essential" or whether a requested modification would fundamentally alter a course or academic program to ensure that such determinations are made by a group of people, including pertinent faculty or other relevant personnel, after a careful, thoughtful deliberation that includes a review of program/course requirements and available options and alternatives, and that the decisions and the reasons supporting them are fully documented by the group.
- b. Timely notification to the student in writing of all specific academic adjustments that have been agreed to and of any denial of requested adjustments and the reason(s) for the denial informing them of the appeal procedure that can be used to challenge the denial of requests. This process will include the full documentation by the College in the student's case file of the date of the request, the nature of the request, and any supporting documentation, the reason(s) for the denial, and any interactive process between the College and the student. Students may also file an internal complaint about their adjustments or services through the College's Section 504 grievance procedures.
- c. A statement identifying the College's Section 504 Coordinator and contact information for that person.

Reporting Requirements: By **June 1, 2021**, the College will submit to OCR the revised procedures developed pursuant to Item II. Within 60 calendar days of notification from OCR that these procedures are consistent with the requirements of Section 504 and Title II, the College will:

- a. Adopt the procedures;
- b. Notify students, faculty, and staff of the new procedures and where copies of the procedures may be obtained; and
- c. Provide training by an authority knowledgeable about the requirements of Section 504 to faculty and staff, including all employees involved in determining or delivering academic adjustments and auxiliary aids and services, all admissions staff, and the College’s Section 504 Coordinator(s), on the requirements of Section 504 as to nondiscrimination, academic adjustments and auxiliary aids and services, fundamental alteration, and its revised procedures.

General Requirements

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

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

The Agreement will become effective immediately upon the signature of the College’s representative below.

President or Designee

Date