

Resolution Agreement
OCR Complaint #03142406
Community College of Baltimore County

The Community College of Baltimore County (the College) has agreed to resolve the allegation of disability discrimination raised in complaint #03142406 filed with the U.S. Department of Education, Office for Civil Rights (OCR). The College voluntarily agrees to implement the following steps and to report the results of implementation to OCR. The Agreement does not constitute an admission of liability on the part of the College, nor does it constitute a determination by OCR of any violation of our regulations by the College.

The College recognizes its obligation under the regulation implementing Section 504 at 34 C.F.R. Section 104.44 (a) and Title II at 28 C.F.R. Section 35.130 (b)(7) to make such modifications to their academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of disability, against a qualified student with a disability.

Action Steps:

1. By February 27, 2015, the College will disseminate a memorandum/notice to all appropriate administrators, faculty, and staff at the XXXXXX reminding them of their obligations under 34 C.F.R. Section 104.44(a) and 28 C.F.R. Section 35.130(b)(7), that the College shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless making the modifications would fundamentally alter the nature of the service, program, or activity. The College may use email to disseminate the memorandum/notice.

Reporting Requirements: By March 16, 2015, the College will provide OCR with a copy of the memorandum/notice sent to administrators, faculty, and staff at the XXXXXX pursuant to Action Step 1 and the names and titles of staff members to whom the memorandum/notice was sent.

2. The College will offer the Complainant the option to either retake XXXXXX course with approved accommodations at no cost to the Complainant or to receive reimbursement of associated costs and fees for the XXXXXX course. By February 27, 2015, the College will notify the Complainant of the offer by certified mail. The offer will contain the next available date(s) the course is offered at the College for the summer and fall semesters. . The Complainant must notify the College of XXXXXX decision to accept or reject its offer to retake the course, at no cost. The offer will state that the Complainant will notify XXXXXX decision to accept the College's offer in accordance with applicable deadlines set by the College. If the Complainant chooses to XXXXXX will enroll using CCBC's regular processes. The Complainant will also seek any accommodations through the processes established within the CCBC Disability Services office. If the Complainant chooses XXXXXX, the College will reimburse XXXXXX the fees and tuition costs XXXXXX paid for XXXXXX.

Reporting Requirements: By March 16, 2015, the College will provide OCR with documentation of the offer made to the Complainant in accordance with Action Step 2 of the Agreement.

Reporting Requirements: By March 31, 2015, the College will provide documentation to OCR demonstrating the fulfillment of the Agreement based on the Complainant's response. Specifically, the College will provide documentation demonstrating that the Complainant has elected to enroll in a summer or fall semester XXXXXX or the College will provide verification that it has reimbursed the Complainant for the tuition XXXXXX.

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 this Agreement. Further, the College understands that during the monitoring of this Agreement, if necessary, OCR may visit the University, 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 regulations implementing Section 504 at 34 C.F.R. § 104.44(a) and Title II at 28 C.F.R. § 35.130 (b) (7) which were at issue in this case.

The College 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 regulations implementing Section 504 at 34 C.F.R. § 104.44(a) and Title II at 28 C.F.R. 35.130 (b) (7), which were at issue in this case.

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 and 100.10) or judicial proceeding 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/ _____
Sandra L. Kurtinitis
President, Community College of Baltimore County

1/26/15 _____
Date