

**Resolution Agreement
Folsom Lake College
Case Number 09-14-2055**

In order to resolve the compliance issues identified during the investigation of the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), Folsom Lake College and the Los Rios Community College District agree to take the actions outlined in this Resolution Agreement (Agreement).

I. District Regulation 2423

- a. The College/District will modify District Regulation 2423, Discrimination Complaint Procedures, in the following ways.
 - i. Expand the description of who may file a complaint to include other individuals or entities such as a family member, representative, organization, or other third party wishing to file on behalf of an individual or group alleged to have suffered unlawful discrimination or harassment. (Section 1.2)
 - ii. Clarify that use of the Chancellor's Office complaint form is encouraged, but not required, and that complaints shall not be considered defective and rejected based upon a complainant's failure to file the complaint on that form. (Section 4.1)
- b. The College/District will revise its Complaint Investigation Guidelines to be consistent with the modified District Regulation 2423.
- c. The College will distribute the modified District Regulation 2423 and Complaint Investigation Guidelines to relevant personnel responsible for receiving and/or responding to complaints of discrimination, including harassment.
- d. The College will include notice of the modified District Regulation 2423 on its website and in electronic student publications such as the Catalog and Schedule of Classes. The notice will inform students where to obtain a copy of the modified Regulation. The College will also include notice of the modified Regulation in printed student publications in the next regular printing cycle after the modified Regulation is finalized.

II. Reporting Requirements

- a. By August 1, 2014, the College/District will provide OCR with a draft of its modified District Regulation 2423, consistent with provision I.a. of this Agreement. OCR will review and return the draft with any comments or questions within ten business days of receipt. The College/District will incorporate OCR's changes, finalize the Regulation, and provide OCR a copy by November 1, 2014.
- b. By August 1, 2014, the College/District will provide OCR with a draft of its modified Complaint Investigation Guidelines, consistent with provision I.b. of this Agreement. OCR will review and return the draft with any comments or questions within ten

business days of receipt. The College/District will incorporate OCR's changes, finalize the Guidelines, and provide OCR a copy by November 1, 2014.

- c. By December 1, 2014, the College will confirm distribution of the modified District Regulation 2423 and Complaint Investigation Guidelines to relevant personnel consistent with provisions I.c. of this Agreement.
- d. By December 1, 2014, the College will confirm the issuance of notice to students of the modified District Regulation 2423, consistent with provisions I.d. of this Agreement.

III. Monitoring

- a. The College/District understands that OCR will not close the monitoring of this agreement until OCR determines that the College/District has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 of the Rehabilitation Act of 1973, at 34 C.F.R. §104.7(b), and Title II of the Americans with Disabilities Act of 1990, at 28 C.F.R. §35.107(b), which were at issue in this case.
- b. The College/District 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/District 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/District has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504, at 34 C.F.R. §104.7(b), and Title II, at 28 C.F.R. §35.107(b), which were at issue in this case.
- c. The College/District 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/District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

_____/s/_____

Dr. Rachel Rosenthal
College President

Date

____5/22/2014_____

_____/s/_____

Los Rios Community College District

Date

____5/23/2014_____
