

Resolution Agreement
Wayne County Community College District
OCR #15-15-2222

Wayne County Community College District (the District) agrees to resolve the allegation of discrimination on the basis of disability contained in complaint #15-15-2222 filed with the U.S. Department of Education, Office for Civil Rights (OCR). The District submits this Resolution Agreement (the Agreement) to ensure compliance with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12132, and its implementing regulation at 28 C.F.R. Part 35. The District agrees to take the following action steps:

REMEDIES

1. The District will promptly investigate the Complainant's internal complaint of disability discrimination located on the xxxxxxxx xxxxxxx xxx, dated xxx xx xxx, in accordance with the disability grievance procedure set forth in its Disability Support Services handbook (i.e., "Grievance Procedure for EOCC Complainants").
2. The District will notify the Complainant, in writing, of the outcome of its investigation of the Complainant's internal complaint. The written notification to the Complainant will include: a statement explaining the allegation(s) of the disability discrimination investigated by the District; a statement describing the evidence obtained by the District; a statement of the legal standard the District applied in analyzing the evidence obtained; an explanation of the District's findings following its investigation; and, if applicable, any remedies provided to the Complainant or other actions taken by the District. The District must specifically evaluate and address any remedies due to the Complainant caused by the District's initial delay in processing his grievance.

Reporting Requirement: By March 15, 2016, the District will submit to OCR documentation of its compliance with Paragraphs 1 and 2, including a copy of the written notification sent to the Complainant.

3. The District will implement any remedies due to the Complainant as identified in the investigation.

Reporting Requirement: By May 1, 2016, the District will submit to OCR documentation of its compliance with Paragraph 3.

4. By May 1, 2016, the District will conduct a self-assessment to determine what internal practices for handling disability grievances must be revised in order to ensure that the District is processing these grievances in accordance with its written Grievance Procedures for EOCC Complaints.

5. By May 1, 2016, the District will provide training on the District’s Grievance Procedures for EOCC Complaints to all relevant District administrators and staff (and specifically the Section 504 Coordinator, members of the Disability Support Services/ACCESS staff, and anyone else involved with handling disability grievances). The District will further send an internal memorandum to these individuals as well as all faculty attaching a link to or copy of the grievance procedures and, if applicable, identifying any changes in practice – as identified in Paragraph 4 –necessary to fully implement those procedures at the District.

Reporting Requirement: By May 1, 2016, the District will submit to OCR documentation of its compliance with Paragraphs 4 and 5, including a copy of all training materials used or distributed during the trainings and an outline of what was covered in the training if not self-evident from the materials; the names, titles, and qualifications of the individuals who conducted the training; a list of all staff members trained; a copy of its self-assessment as described in Paragraph 4; and the memorandum sent to staff.

6. By September 1, 2016, it will provide will provide training on the District’s Grievance Procedures for EOCC Complaints to all faculty members.

Reporting Requirement: By October 1, 2016, the District will submit to OCR documentation of its compliance with Paragraph 6, including a copy of all training materials used or distributed during the trainings and an outline of what was covered in the training if not self-evident from the materials; the names, titles, and qualifications of the individuals who conducted the training; and a list of all faculty members trained.

GENERAL REQUIREMENTS

The District understands that OCR will not close the monitoring of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with the regulations 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.

The District also 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 District understands that during the monitoring of this agreement, if necessary, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this agreement and is in compliance with the regulations 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.

The 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 District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

_____/s _____
Wayne County Community College
President or Designee

____2/16/16_____
Date