

Resolution Agreement
Roseman University of Health Sciences
Complaint No. 08-13-2226

In order to resolve an open allegation in Case Number 08-13-2226, filed against Roseman University of Health Sciences and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR) pursuant to Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794 (Section 504) and its implementing regulation at 34 C. F. R. part 104, the University agrees to implement the following Resolution Agreement.

During the course of OCR's investigation, before OCR had made any findings, the University indicated its willingness to take steps necessary to ensure compliance with Section 504. Pursuant to Section 302 of OCR's *Case Processing Manual*, a complaint allegation may be resolved when, before the conclusion of an investigation, a recipient expresses an interest in resolving the complaint, OCR believes that doing so is appropriate, and the remedies align with the allegation. The University's decision to enter into this Agreement is not an admission of liability or wrong-doing, nor shall it be construed as such.

1. The University will review, revise, and submit to OCR for review and approval the University policies and procedures for Student Assessment and Remediation and Reassessment to make it clear that all students, including students with disabilities, will be provided with an opportunity to participate in the assessment and remediation and reassessment reviews with the class.

REPORTING REQUIREMENT 1: The University will submit to OCR for review and approval the above-mentioned policies and procedures by **April 25, 2014**.

2. Within 30 days of OCR's approval of the University's policies and procedures identified in Item number 1, the University will take action to officially adopt, publish and disseminate the procedures, using its standard methods for disseminating new information that is important to students, employees, and members of the public (including publishing the notice in the Student Catalogue).

REPORTING REQUIREMENT 2: Within 30 days of publishing and disseminating the revised procedures, the University will provide OCR with documentation that this has taken place (such as copies of notices, an explanation of where and when notices were published or distributed).

3. The University will draft, for OCR's review and approval training materials describing the change to University policies and procedures for Student Assessment and Remediation and Reassessment, and will identify one or more persons knowledgeable about the revised policy and procedure who will provide the training. The person or persons must also have the ability to explain why the change was necessary pursuant to the Section 504 regulation. Once approved by OCR, these training materials will be included in the University's regular training schedule for instructors and administrators.

REPORTING REQUIREMENT 3: By **June 1, 2014**, the University will submit documentation to OCR demonstrating that it has fully complied with this paragraph. Such documentation will include the draft training materials for OCR's review and approval.

4. Within thirty (30) days of OCR's approval of the training materials, the University will schedule and conduct in-service training. Attendees at this training will include all instructors and administrators in the College of Pharmacy, as well as any other University employees and administrators who are responsible for assisting students with disabilities with academic adjustments and auxiliary aids.

REPORTING REQUIREMENT 4: Within ten (10) calendar days after the conclusion of the training, the University will submit to OCR proof that the training was provided. Such documentation will include:

- The agenda and handouts for the training;
 - The date and time the training was held; and
 - A copy of the attendance sheet from the training, including the name and title of each participant, along with a written assurance from the President of the University that all required attendees were present during the training.
5. The University will undertake an assessment to determine whether after March 2013, the complainant and any other students with disabilities were compelled to retake a course, or courses, as a result of their inability to participate in after reassessment reviews with the cohort. If the assessment reveals that these students with disabilities might have been unfairly compelled by the University to retake courses, an equitable remedy will be created for these students.

REPORTING REQUIREMENT 5: By **July 1, 2014**, the University will submit documentation to OCR demonstrating that it has fully complied with this paragraph. Such documentation will include the findings of the assessment and the remedy, if any, that has been provided to these students.

The University understands that OCR will not close the monitoring of this Agreement until OCR determines that the University has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, which were at issue in this case.

The University 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 University understands that during the monitoring of the Agreement, if necessary, OCR may visit the University, interview University employees and students, and request such additional reports or data as are necessary for OCR to determine whether the University has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504, which were at issue in this case.

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

For Roseman University of Health Sciences:

[Name]

Date

[Title]