

Voluntary Resolution Agreement  
ECPI University  
Medical Careers Institute  
College of Health Science  
OCR Complaint No. 11-14-2228

ECPI University (the University) specifically Medical Careers Institute, the College of Health Science (the College), agrees to fully implement this Resolution Agreement (the Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-14-2228. This Agreement does not constitute an admission by the University/College of a violation of Section 504 of the Rehabilitation Act of 1973 (Section 504) or any other law enforced by OCR.

1. Within twenty (20) calendar days of the date of this Agreement, the University/College shall offer to the Complainant, in writing, the opportunity to reenroll at the College, waiving any enrollment fees, and will offer him the opportunity to retake "Introduction to Rad Positioning & Technique" (RAD 110) in calendar year 2015 without charge of tuition.

**Reporting Requirements:**

By October 31, 2014, the University/College will provide OCR with documentation to show that it has completed item number 1 above. The documentation shall include copies of the offer to the Complainant to reenroll as well as the Complainant's response.

2. If the Complainant accepts the College's offer, within 20 calendar days from the date of the Complainant's response, the College and the Complainant shall meet to determine the Complainant's eligibility for academic adjustments and/or auxiliary aids and services. The College shall consider all medical and other documentation provided by the Complainant, determine whether that information adequately documents the existence of a current disability and the need for academic adjustments and/or auxiliary aids and services, and, if eligible, develop an individual plan using an interactive process.

**Reporting Requirements:**

If the Complainant accepts the College's offer, within 30 calendar days of the meeting referenced in Section 2, the University/College will provide OCR a report indicating the determination as to whether the Complainant is a qualified individual with a disability, and, if so, a copy of the Complainant's approved academic adjustments and/or auxiliary aids and services, if any. The University will include a copy of all medical and other documentation provided by the

Complainant; meeting notes including the names and titles of the participants; any additional information that the University/College considered in making a determination regarding the Complainant's eligibility and need for academic

adjustments and/or auxiliary aids and services; and the rationale for the determinations.

3. By January 31, 2015, the University will provide training, or coordinate with OCR to provide training, to University/College staff and personnel who are responsible for determining whether a student qualifies for academic adjustments and/or auxiliary aids and services, who may be a point of contact for a student who makes a request for such services, and who are responsible for implementing academic adjustments and/or auxiliary aids and services. The training should address, at a minimum, the University's/College's responsibilities with regard to responding to a student's request for academic adjustments and/or auxiliary aids and services whether the request is verbal or in written form, necessary documentation, the interactive process, essential academic requirements, and implementation of such services. The training will also focus on the importance of documenting the approval and or denial of accommodations and auxiliary aids and services.

**Reporting Requirements:**

By December 31, 2014, the University/College will provide for OCR's review and approval the training materials prepared, including the name(s) and title(s) of the trainer(s) and any handouts or presentations developed.

Within 10 calendar days of the completion of the approved training, the University/College will submit to OCR the name(s) and title(s) of the trainer(s), the date of the training, the material used or disseminated, and the sign-in sheets indicating the names and titles of participants.

4. The University/College will revise its Statement of Non-discrimination to state that the University/College does not discriminate in admission, treatment, or access to its programs or activities based on disability; does not discriminate in employment in its programs or activities based on disability; and to identify the Section 504 Coordinator.

**Reporting Requirement:**

- By October 31, 2014 the University/College will provide OCR with a draft Statement of Non-discrimination for review and approval.
- Within 10 business days of receiving approval from OCR, the University/College will provide OCR with documentation to show that it has implemented the revised Statement of Non-discrimination.

5. The University/College will revise its policies and procedures related to "Requests for Reasonable Accommodation" and "Students Requesting Accommodations" to ensure that these documents clearly state that the University/College does not discriminate on the basis of disability, describe the process by which a student may request and obtain academic adjustments and/or auxiliary aids and services, and will include (as necessary):

- Contact information for the person or office to whom a student may make a request;
- Definitions and examples of important terms related to making a request for disability-related services;
- An explanation of the types of documentation that may be necessary;
- An explanation of the steps the University/College uses in reviewing documentation and communicating with a student about his or her request, using an interactive process;
- General timeframes for responding to such requests and implementation of services; and
- A description of the documentation or other records a student can expect, indicating the outcome of the University/College's review and the academic adjustments and/or auxiliary aids and services he or she is entitled to receive.

**Reporting Requirement:**

- By November 30, 2014, the University/College will provide OCR with draft policies and procedures for students to request disability services, and the University/College to review such requests, to ensure appropriate and timely provision of adjustments, aids, and services for OCR's review and approval. Within thirty (30) days of OCR's approval, the University/College will adopt the notice, policy, and procedures, and publish them in all relevant University/College materials and websites.
- By December 31, 2015, the University/College will provide OCR with documentation to show that it has implemented the revised policy and procedures. The University/College will provide data illustrating how many requests it received from students seeking disability services during the period from December 7, 2014 through December 6, 2015; the dates the requests were received; the name of the person who initially received the request; whether the University/College requested documentation from the student; whether and when the University/College determined the student was eligible for disability services; a copy of the resulting adjustments, aids, or services that the University/College developed with the student; and correspondence indicating how and when the University/College communicated the agreed upon adjustments, aids, or services to the student and appropriate instructors.

6. The University/College will develop internal procedures to guide its response to student requests for academic adjustments, including who is responsible for receiving requests, how they will communicate the request to the designated Section 504 Coordinator, how they will determine eligibility and develop appropriate adjustments, and how they will communicate with and respond to the requesting student as well as appropriate faculty about services to which qualified students are entitled to receive.

**Reporting Requirement:**

By November 30, 2014, the University/College will provide OCR with a copy of its draft procedures for review and approval. Within forty-five (45) days of receiving approval from OCR, the University/College will adopt its procedures and provide to OCR documentation that it has done so.

The University/College understands that OCR will not close the monitoring of this Agreement until OCR determines that the University/College 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/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 University/College understands that during the monitoring of this Agreement, if necessary, OCR may visit the University/College, interview staff and students, and request additional reports or data as necessary for OCR to determine whether the University/College fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, which was at issue in this case.

The University/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, 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.

\_\_\_\_\_/s/  
President  
ECPI University

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9/19/2014  
Date: