

Resolution Agreement  
Saint Joseph's College  
OCR Complaint No. 01-17-2021

Saint Joseph's College (College) enters into this agreement with the U.S. Department of Education, Office for Civil Rights (OCR) to resolve OCR Complaint No. 01-17-2021, conducted under the authority of Section 504 of the Rehabilitation Act of 1973 (Section 504) and its implementing regulation at 34 C.F.R. Part 104. The College's execution and performance of the terms of this Agreement do not constitute any admission of liability or any admission of a violation of federal or state law.

**Action Item A: Policies, Procedures and Notice to Staff**

The College recognizes its obligations under the regulation implementing Section 504 at 34 C.F.R. §104.45 to provide comparable, convenient, and accessible housing to students with disabilities at the same cost as to others.

1. By **August 1, 2017**, the College will review and revise as necessary all relevant policies, procedures, and practices pertaining to the provision of housing to students with disabilities to reflect that (a) the College does not discriminate in the provision of housing to students with disabilities; (b) the College will provide comparable, convenient, and accessible housing to students with disabilities at the same cost as to others; and (c) students with disabilities approved for housing accommodations are not subject to surcharges. This will include all internal materials and materials available to students and/or the public, including but not limited to the housing policy posted on the College website and the policy stated on the housing accommodation application form.

**Reporting Requirement:** By **August 1, 2017**, the College will provide OCR with its revised policies, procedures, and practices referenced in Action Item (1) above for OCR's review and approval. If OCR requires any changes to the policies, procedures, and practices, the College will make the changes and re-submit the policies, procedures, and practices within 20 days of receiving OCR's notice of the required revisions.

2. Within 30 days of receiving notice of OCR's approval of the revised policies, procedures, and practices referenced in Action Item A(1), the College will publish the revised policies, procedures, and practices on its website and in any other College publications that contain information about on-campus housing for students with disabilities. Inserts may be used pending the re-printing of those publications.

**Reporting Requirement:** Upon publishing the materials above consistent with the revisions and timeframes set out in Action Items A(1) and (2), the College will provide OCR with documentation demonstrating that these materials have been published in accordance with Action Item A(2), including but not limited to live links to websites and/or copies of hard copy materials, if any.

3. By **August 15, 2017**, the College will prepare a memorandum that describes the College's obligations under Section 504 to provide comparable, convenient, and accessible housing to students with disabilities at the same cost as to others, and that shall specifically explain that students who require a single room as an accommodation will not be charged the generally applicable extra charge for a single room that students without disabilities are required to pay.

The College will disseminate this memorandum to relevant staff, including at least staff in the College's Health Services, Disability Support Service Office, the Residence Life Office, Billing Office, and the Registrar's Office. (This memorandum may be sent electronically.)

**Reporting Requirement:** By **August 15, 2017**, the College will provide to OCR documentation demonstrating that it distributed the memorandum referenced in Action Item A(3) above, including the list of personnel, with name and title, who received the memorandum and the College's method of distribution.

### **Action Item B: Student-Specific Actions**

1. The College agrees to review its records and determine whether any students with disabilities who were granted single room student housing as a disability-related accommodation during the academic years 2013-2014 and 2014-2015 were charged more than the rate for comparable non-disability related housing options. The College agrees to reimburse those students for any fees they paid that were in excess of the cost of the comparable non-disability related housing options. The College further agrees to provide OCR with information demonstrating (i) how the College determined which students are entitled to a reimbursement under this Agreement; (ii) which students should receive reimbursement for the additional charges, and (iii) the method by which the reimbursement was calculated.

#### **Reporting Requirements:**

- a) By **August 25, 2017**, the College will provide to OCR for its review and approval (i) a list of all students who received single-room student housing as a disability-related accommodation; and (ii) the method by which any proposed reimbursement was calculated for each student. If OCR requires

any changes to the method for reimbursement, the College will make the changes and re-submit the revised method for reimbursement within 20 days of receiving OCR’s notice of the required revisions.

- b) Within 60 days of receiving OCR’s written approval of the method for reimbursement, the College will submit to OCR documentation demonstrating that any identified student who was overcharged was reimbursed for the additional charges.

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 regulation implementing Section 504 at 34 C.F.R. Part 104, which were at issue in this case.

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 College, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the College as fulfilled the terms of this Agreement and is in compliance with the regulation implementing Section 504 at 34 C.F.R Part 104, which was 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, 100.10), or judicial proceedings 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.

The College has designated President Jim S. Dlugos, with signatory authority to enter into this Agreement on the College’s behalf.

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Jim S. Dlugos  
President  
Saint Joseph’s College

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Date