

RESOLUTION AGREEMENT
Brandies University
OCR Complaint No. 01-20-2163

Brandies University (University) has voluntarily entered into this agreement to resolve the allegations in the above-referenced complaint. The University assures that it will take the following actions.

The University agreed to resolve this complaint prior to the completion of OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*.

Action Item 1: Policy / Procedure Revisions

By **August 15, 2020**, the University will submit to OCR, for its review and approval, the policies and procedures of the Heller School for Social Policy (Heller School) for responding to requests for and the provision of academic adjustments and/or auxiliary aids. The revisions will include but not be limited to:

- An express statement indicating that the time permitted to complete a doctoral dissertation, like all other program requirements, will follow procedures for seeking academic adjustments that comply with Section 504.
- Clarified policies and communication from the Heller School regarding the appropriate process students must follow to seek academic adjustments, and the relationship between the University's Office of Student Accessibility Services and the Heller School's Disability Coordinator.

Reporting Requirements

Within 30 days of OCR's approval, the University will publish the approved policies and procedures on its website. Additionally, the University will notify students of the policies and procedures in writing via email, handouts to students in class, or any other equally effective method of dissemination. The University will provide OCR with electronic and/or a copy of evidence of such dissemination no later than 60 days from when OCR approves the revised policies and procedures.

Action Item 2: Training

Within 60 days after OCR's approval of the new policies and procedures or by **November 1, 2020** (whichever is later), the University will provide a Section 504 training to the Heller School's Disability Coordinator, the Heller School's Ph.D. Program Director, and all faculty and relevant staff at the Heller School. The training will include a discussion of the following:

- That Section 504 prohibits the Heller School from adopting an absolute policy such as a ten-year timeline to graduation that is not subject to the University's procedures for

requesting an academic adjustment on the basis of disability, and that the Heller School has revised its policy as a result of this complaint.

- The University's and the Heller School's policies and procedures for requesting academic adjustments.
- An explanation that, if a university denies a request for an academic adjustment, it should clearly communicate the reasons for its decision to the student so that the student has a reasonable opportunity to respond and provide additional documentation that would address the university's objections.

Reporting Requirement

By **December 1, 2020** or 90 days after the approval of the policies by OCR (whichever is later), the University will provide OCR with the following.

- a. A list of the individuals who attended the training and their positions;
- b. The date(s) the training was conducted; and
- c. Copies of any training materials disseminated.

Action Item 3: Invitation to the Complainant

By **August 21, 2020**, the University will send a written (email and US mail) invitation to the Complainant, giving her until September 31, 2020 to accept. This invitation will offer to meet with her to discuss the revisions the University has made to its policies and procedures to remedy the experience she had seeking an academic adjustment and the ways in which the University may support the Complainant's continuing education.

Should the Complainant accept this invitation, the Heller School's Disability Coordinator, Dean and Director of the Ph.D. program, and the University's Director of the Office of Equal Opportunity, will meet with the Complainant at a mutually agreeable date and time during the 15 calendar days following the Complainant's acceptance to discuss the above-referenced topics.

Reporting Requirement

By **October 9, 2020** or within seven (7) days of meeting with the Complainant (whichever is later), the University will provide to OCR:

- i. a copy of the written invitation sent to the Complainant;
- ii. a statement regarding whether the Complainant accepted the invitation; and, if so,
- iii. a summary of the discussion at the meeting and any determinations reached regarding Action Item 3.

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 the Agreement. Further, the University understands that during the monitoring of this Agreement, if necessary, OCR may visit the University, interview staff and students, and request such

additional reports or data as are necessary for OCR to determine whether the University has fulfilled the terms and obligations of this Agreement. Upon the University's satisfaction of the commitments made under the Agreement, OCR will close the case.

The Uni understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR shall give the Recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

The Agreement will become effective immediately upon the signature of the University's representative below.

By: _____ Date: _____
Lisa M. Lynch
Provost and Executive Vice President for Academic Affairs
Brandeis University