

## **RESOLUTION AGREEMENT**

### **St. Elizabeth College of Nursing Case No. 02-17-2119**

In order to resolve Case No. 02-17-2119, St. Elizabeth College of Nursing (the College) assures the U.S. Department of Education, Office for Civil Rights (OCR), that pursuant to 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, it will take the actions set forth below.

#### **Action Item 1: Remedies for the Complainant**

By July 15, 2017, the College will (a) notify the complainant in writing of the College's policies regarding academic adjustments and auxiliary aids, including that the College revised its policies to provide for the auxiliary aid of reading exams aloud; (b) offer the complainant in writing the opportunity to apply to its nursing program for academic year 2017-2018; and, (c) offer the complainant the opportunity to request academic adjustments and auxiliary aids in accordance with the College's established policies. The College will provide the complainant with a minimum of 30 calendar days to respond to the offer.

**Reporting Requirement:** By August 31, 2017, the College will provide documentation to OCR demonstrating that it has provided notification to the complainant consistent with Action Item 1 above. The College will also provide documentation of the complainant's response, if any.

#### **Action Item 2: Policies and Procedures**

By August 15, 2017, the College will revise its current policies and procedures to add an explanation of the range of academic adjustments and auxiliary aids that students may receive, and an explanation of how the College will consider requests for academic adjustments and auxiliary aids in light of the essential requirements of its programs.

#### **Reporting Requirements:**

- a) By July 15, 2017, the College will provide a draft of its revised policies and procedures to OCR for review and approval. OCR will respond within 15 calendar days.
- b) By August 30, 2017, the College will provide documentation to OCR to substantiate that it has formally adopted the OCR-approved revised policies and procedures; updated all printed publications and on-line publications with the revised policies and procedures (inserts may be used pending reprinting of these publications); and, electronically disseminated the revised policies and procedures to students. This documentation will include evidence of the electronic dissemination of the revised policies and procedures to students, a list of the titles of the publications in which the information appears (e.g., college catalog, website, student handbook), as well as a

copy of any such publications or a link to an on-line publication containing the revised policies and procedures; or, if not yet finalized, a copy of the insert for printed publications.

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. § 104.44, which was at issue in this case. The College 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 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 has fulfilled the terms of this agreement and is in compliance with the regulation implementing Section 504, at 34 C.F.R. § 104.44, which was at issue in this case. The College understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings, including 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, including to enforce this agreement, OCR shall give the College written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

July 7, 2017

/s/

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Date

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Varinya Sheppard, DNP, RN  
President  
St. Elizabeth College of Nursing