

RESOLUTION AGREEMENT

The College of Saint Elizabeth Case No. 02-18-2081

In order to resolve Case No. 02-18-2081, the College of Saint Elizabeth (the College) assures the U.S. Department of Education, Office for Civil Rights (OCR), that it will take the actions detailed below 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.

Action Item 1: Assessment of Costs to Disabled Students

By September 1, 2018, the College will assess the costs incurred by students with disabilities who were approved to receive air conditioning in a dorm room as an accommodation during academic years 2016-2017 and 2017-2018, and will submit to OCR proposed recommendations for reimbursements, if any, to such students who were required to provide their own air conditioner units. The College will explain its recommendations for each reimbursement or decision not to provide a reimbursement.

Reporting Requirements:

- a) By September 15, 2018, the College will provide to OCR a list of all students who were approved to receive air conditioning in a dorm room as an accommodation for a disability during academic years 2016-2017 and 2017-2018. For each such student, the College will provide to OCR: (i) any cost incurred by the student; (ii) the College's recommendation for reimbursement to the student, if any; and, (iii) an explanation for the amount of the proposed reimbursement, if any, or decision not to provide a reimbursement, for OCR's review and approval.
- b) Within thirty (30) days of OCR's approval of the decisions made consistent with Action Item 1 above, the College will submit documentation to OCR demonstrating that it provided reimbursements to all students approved for reimbursement, with the amount of the reimbursement indicated.

Action Item 2: Training

By June 30, 2018, the University will provide training to any College officials and administrators who are involved in the process of evaluating requests for, making decisions about, and billing for, approved housing accommodations. The College's training will cover the College's newly adopted policy regarding the provision of air conditioner, humidifier, and air cleaner units as an accommodation for a disability, and the College's obligations to provide housing accommodations in accordance with the requirements of the regulation implementing Section 504.

Reporting Requirement: By July 15, 2018, the College will submit documentation to OCR demonstrating that the training described in Action Item 2 was provided. The report will, at a minimum, identify the person(s) who provided the training and include a description of the person's qualifications; indicate the date(s) of the training(s); include a copy of any materials used or disseminated during the training; and, include the names and titles of the staff in attendance.

The College understands that by signing this Agreement, it agrees to provide the foregoing 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 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 Section 504 and its implementing regulation at 34 C.F.R. §§ 104.4(a) and (b)(4), 104.43(a) and 104.45(a). Upon completion of the obligations under this Agreement, OCR shall close 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 sixty (60) calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the College's representative below.

Date: 5/7/2018

Signed: _____/s/_____

Dr. Helen J. Streubert
President
The College of Saint Elizabeth