

RESOLUTION AGREEMENT

Adelphi University Case No. 02-19-2148

In order to resolve Case No. 02-19-2148, Adelphi University (the University) assures the U.S. Department of Education, Office for Civil Rights (OCR), that it will take the following actions pursuant to 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.

This Resolution Agreement (the Agreement) has been entered into voluntarily by the University and does not constitute an admission by the University that it is not in compliance with Section 504. The University expressly denies that it violated any law or had any liability. The University enters this agreement as a good faith settlement and release of disputed claims to solely avoid the burden, expense, delay and uncertainties of investigation and litigation and to fully and finally resolve any and all claims as set forth in this Agreement.

Action Item 1: Policies and Procedures

OCR acknowledges that the University provided, and OCR approved, the University's revised guidelines (the Guidelines) for documentation requirements for the provision of academic adjustments and/or auxiliary aids and services to students with the following disabilities: Mental Health Disabilities, Orthopedic and Basic Chronic Medical Conditions, Complex Chronic Medical Conditions, and Autism Spectrum Disorder. By July 31, 2019, the University will adopt and publish the Guidelines.

Reporting Requirement: By August 15, 2019, the University will provide documentation to OCR to demonstrate that it has formally adopted and published the Guidelines, including copies of any updated printed publications (inserts may be used pending reprinting of publications), links to on-line publications of the Guidelines; and, emails disseminating the Guidelines to students and employees. If inserts were used for any publications, then by September 16, 2019, the University will provide to OCR copies of the relevant pages of printed versions of all publications disseminated to students and employees containing the Guidelines. Dissemination may occur by the methods usually employed by the University for distributing University Guidelines, including posting on the University's website.

Action Item 2: Training

By August 30, 2019, the University will provide training to any University staff members and administrators who are involved in the process of evaluating and/or approving requests for academic adjustments and/or auxiliary aids and services. The University's training will cover the Guidelines for documentation for the following disability categories: Mental Health Disabilities; Orthopedic and Basic Chronic Medical Conditions; Complex Chronic Medical Conditions; and

Autism Spectrum Disorder. The training may be provided by University personnel, so long as the staff member(s) are properly qualified to provide such training.

Reporting Requirement: By September 16, 2019, the University will submit documentation to OCR demonstrating that the University provided training in accordance with Action Item 2 above, including the name and credentials of the trainer; the date(s) of the training; the agenda and/or a short summary of the material covered; copies of any training materials distributed; and, a list of attendees, by name and title.

Action Item 3: Individual Remedies

- A. By August 30, 2019, the University will review all student requests for academic adjustments and/or auxiliary aids and services during academic year 2018-2019 based on any of the following disability categories: Mental Health Disabilities; Orthopedic and Basic Chronic Medical Conditions; Complex Chronic Medical Conditions; and Autism Spectrum Disorder. In its review, the University will determine whether the student submitted documentation regarding current treatment and/or medication; and, if the student did not submit documentation regarding current treatment and/or medication, whether the student's request was denied. For any student whose request for academic adjustments and/or auxiliary aids and services was denied because they did not submit documentation regarding current treatment and/or medication, the University will explain its recommendation for an appropriate remedy, for OCR's review and approval.
- B. By June 1, 2020, the University will provide to OCR a list of all students who requested and were denied academic adjustments and/or auxiliary aids and services during academic year 2019-2020 based on any of the following disability categories: Mental Health Disabilities; Orthopedic and Basic Chronic Medical Conditions; Complex Chronic Medical Conditions; and Autism Spectrum Disorder. For each such student, the University will provide to OCR: (i) a list of the documentation submitted by the student in support of the request; and, (ii) the University's explanation for the decision(s) denying the request.

Reporting Requirements:

- a) By September 16, 2019, the University will provide to OCR documentation in compliance with Action Item 3(a).
- b) By June 1, 2020, the University will provide to OCR documentation in compliance with Action Item 3(b).

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 this 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 this Agreement, OCR will close this case.

The University 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 will give the University 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 University's representative below.

July 16, 2016

Date

/s/

James Perrino
Executive Vice President for Finance and
Administration
Adelphi University