

RESOLUTION AGREEMENT

Touro College Case No. 02-19-2203

In order to resolve Case No. 02-19-2203, Touro College (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: Individual Relief for the Complainant

- A. By November 15, 2019, the College will provide to the complainant, via FedEx, copies of all letters of good standing, letters verifying his enrollment status, and letters forwarding his transcript that the College sent on his behalf to XXXXXX Law School and to any other institutions, from May 22, 2019, to the date the resolution agreement is executed. Any copies will be watermarked or stamped 'copy.'
- B. After execution of this resolution agreement, should the College provide any letters of good standing, letters verifying the complainant's enrollment status, and/or letters forwarding the complainant's transcript to any institutions, the College will automatically provide to the complainant a copy of any such letter and any other documents sent. Any copies will be watermarked or stamped 'copy.'

Reporting Requirements:

- (1) By November 15, 2019, the College will provide documentation to OCR demonstrating that the College provided to the complainant copies of all letters of good standing, letters verifying his enrollment status, and letters forwarding the complainant's transcript that the College sent to XXXXXX Law School and to any other educational institution, since May 22, 2019, to the date the resolution agreement was executed.
- (2) By August 31, 2020, the College will provide documentation to OCR demonstrating that if it sent a letter of good standing, letter verifying the complainant's enrollment status, and/or a letter forwarding the complainant's transcript to any other educational institution, it also provided a copy of any such letter and any other documents to the complainant.

Action Item 2: Internal Investigation

By November 30, 2019, a College administrator(s) not involved in the decision to not provide to the complainant a copy of the letter of good standing sent to Loyola University on the complainant's behalf will review the actions of the XXXXXXXXXXXX XXXXXXXXXXXX, XXXXXXXXXXXX, counsel, and any other College administrators or staff involved in the decision, to determine whether they retaliated against the complainant for his advocacy in making that decision. If the College administrator(s) determines that retaliation occurred, the College

administrator(s) will determine whether disciplinary action is appropriate, and will take any necessary disciplinary action by December 31, 2019.

Reporting Requirements:

- (1) By December 15, 2019, the College will provide documentation to OCR demonstrating that the College administrator(s) reviewed the actions of the XXXXXXXXXXXXXXXXXXXX, XXXXXXXXXXXX, counsel, and any other College administrators or staff involved in the decision to not provide to the complainant a copy of the letter of good standing sent to XXXXXX University on the complainant's behalf, in accordance with Action Item 2 above. The documentation will include, at a minimum, a description of the process the College administrator(s) utilized to conduct the review; the administrator's(s') recommendation regarding whether disciplinary or other action is warranted, and why; and, the actions, if any, taken as a result of the College administrator's(s') recommendation. The College will also identify, by name and title, the administrator(s) involved in making the determination.
- (2) If disciplinary or other action will be taken, then by January 15, 2020, the College will provide documentation to OCR demonstrating implementation of such disciplinary action.

Action Item 3: Training

By December 31, 2019, the College will provide training to the XXXXXXXXXXXXXXXXXXXX, XXXXXXXXXXXX, counsel, and any other College administrators and staff involved in the decision to not provide to the complainant a copy of the letter of good standing sent to XXXXXX University on the complainant's behalf. The training will cover, at a minimum, Section 504's prohibition against retaliation.

Reporting Requirement:

By January 15, 2020, the College will provide documentation to OCR demonstrating that it provided training in accordance with Action Item 3 above. The documentation will include, at a minimum, the name(s) and credentials of the trainer(s); the date(s) and time(s) of the training(s); the names and positions/titles of staff in attendance; confirmation of whether all relevant employees have been trained (and if not, how many remain); and, copies of any training materials distributed.

The College understands that by signing this resolution agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. Further, the College understands that during the monitoring of the resolution 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 and obligations of the resolution agreement. Upon the College's satisfaction of the commitments made under the resolution agreement, OCR will close this case.

The College understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the resolution agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will 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.

11/1/19
Date

/s/
President Alan Kadish (or designee)
Touro College