

Resolution Agreement
University of Maryland University College
OCR Docket # 03142349

In order to resolve the allegation in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104.44, and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131, and its implementing regulation, 28 C.F.R. Part 35, University of Maryland University College (the University) commits to implement the provisions set forth in this Resolution Agreement (Agreement) below.

ACTION STEPS

1. By December 1, 2014, the University will send a memo to all personnel who are involved in the provision, administration, execution, and delivery of academic adjustments to students with disabilities reminding them of their obligations to provide academic adjustments in a timely manner.
2. By December 1, 2014, the University will disseminate a memorandum to the XXXX xxx xxxxx xxxxxxxxxxxx reminding xxx xx xxx obligations to implement academic adjustments for students that have been approved through the Office of Accessibility Services. The memorandum will remind the xxxxxx xxxxxxxxxxxx that Section 504 prohibits discrimination on the basis of disability, and will also advise the xxxxxx xxxxxxxxxxxx that xx is to contact the Office of Accessibility Services if xx has any questions or concerns regarding the academic adjustments of any of xxx students.
3. By December 1, 2014, the University will offer, in writing by certified mail, to re-enroll the Complainant in the xxxx xxx xxxxxx at the University's expense. The University's letter to the Complainant will inform xxx that he has ten calendar days from the date of the letter to accept the offer by notifying the University of xxx acceptance in writing. If the Complainant accepts the offer to re-enroll, the Complainant must complete xx— phrase deleted--xx. If the Complainant declines to re-enroll or if xx otherwise does not respond to the University's offer, the University agrees to reimburse the Complainant for the xxxx xxx xxxxxx in which xx was previously enrolled, as well as any documented related expenses, including but not limited to, text books. Complainant must submit record of any document related expenses incurred for the xxxx xxx xxxxxx by December 15, 2014.

REPORTING REQUIREMENTS

1. By December 31, 2014, the University will submit to OCR evidence of the distribution of the above-referenced memo including the list of personnel who acknowledged receipt of the memo and the memo that was provided to the xxxx xxx xxxxx professor.

2. By December 31, 2014, the University will submit documentation regarding the Complainant's response to the offer xx xxxxxx xxx xxxxxxxx or receive reimbursement for tuition and any expenses associated with the xxxx xxx xxxxxxx, including copies of documents provided by the Complainant in support of xxx reimbursement request, and if applicable, relevant documentation regarding the reimbursement provided to the Complainant.

The University understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further the University understands that during the monitoring of this agreement, 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 of this agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. § 104.44 and Title II at 28 C.F.R. § 35.130(b)(7), which were at issue in this complaint.

The University understands that OCR will not close the monitoring of this Agreement until OCR determines that the University has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. § 104.44 and Title II at 28 C.F.R. § 35.130(b)(7), which were at issue in this complaint..

The University 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 University written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

_____/s/_____

President or President's Designee
University of Maryland University College

____11/13/14_____

Date