

**Voluntary Resolution Agreement  
Cheyney University of Pennsylvania  
OCR Complaint #03172079**

In order to resolve the allegations 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 (Section 504) and its implementing regulation at 34 C.F.R. Part 104 and Title II of the Americans with Disabilities Act (Title II) and its implementing regulation at 28 C.F.R. Part 35, Cheyney University of Pennsylvania (the University) voluntarily enters into this Resolution Agreement (Agreement). This Agreement does not constitute an admission of liability on the part of the University, nor does it constitute a determination by OCR that the University violated any of the regulations enforced by OCR.

The University voluntarily makes the following commitments to OCR:

1. The University recognizes its obligations under the regulation implementing Section 504 at 34 C.F.R. §§ 104.4(b), 104.43(a), 104-43(c), and 104.45, respectively, to provide housing to qualified students with a disability in a nondiscriminatory manner and to provide comparable, convenient, and accessible housing to students with disabilities at the same cost as to others. The University also recognizes its obligations under the regulation implementing Title II at 28 C.F.R. §35.130(b)(7)(i) to make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless it can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

By May 1, 2017, the University will disseminate a memorandum (this memorandum can be sent electronically) to relevant staff in the University's Office of Housing, Auxiliary and Conference Services and the Department of Guidance and Counseling reminding them of their obligations under Section 504 to provide comparable, convenient, and accessible housing to students with disabilities at the same cost as to others and their obligations under Title II to make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless it can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

**Reporting Requirement:** By May 15, 2017, the University will submit to OCR documentation demonstrating that it distributed the memorandum referenced in Action Step #1 above, including the list of personnel, with name and title, who received the memorandum and the University's method of distribution for OCR's review and approval.

2. By May 1, 2017, the University will review and revise as necessary all relevant policies, procedures, and practices pertaining to the provision of housing to students with disabilities to reflect that the University does not discriminate in the

provision of housing to students with disabilities, that the University will provide comparable, convenient, and accessible housing to students with disabilities at the same cost as to others, and that the University will make reasonable modifications to its housing policies, procedures, and practices when the modifications are necessary to avoid discrimination, unless the University can demonstrate that making the modifications would fundamentally alter the nature of the housing services provided by the University.

**Reporting Requirement:** By May 15, 2017, the University will provide OCR with its revised policies, procedures, and practices referenced in Action Step #2 above for OCR's review and approval.

3. Within 30 days of receiving notice of OCR's approval of the revised policies, procedures, and practices referenced in Action Step #2, the University will publish the revised policies and procedures on its website and in any other University publications that contain information about on-campus housing for students with disabilities. Inserts may be used pending the re-printing of those publications.

**Reporting Requirement:** within 60 days of receiving notice of OCR's approval of the revised policies, procedures, and practices, the University will provide OCR with documentation demonstrating that they have been published in accordance with Action Step #3.

The University understands that by signing the Agreement, it agrees to provide data and other information in a timely manner. Further, the University understands that, during the monitoring of the 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 the Agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §§104.4(b), 104.43(a), 104.43(c), and 104.45 and Title II at 28 C.F.R. §35.130(b)(7)(i) which were at issue in this case.

The University understands that OCR will not close the monitoring of the Agreement until such time that OCR determines that the University has fulfilled the terms of the Agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. §§104.4(b), 104.43(a), 104.43(c), and 104.45 and Title II at 28 C.F.R. §35.130(b)(7)(i) which were at issue in this case.

The University understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings, including to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10),

or judicial proceedings, including to enforce the Agreement, OCR shall give the University written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

\_\_\_\_\_/s/\_\_\_\_\_  
President or Designee

\_\_\_\_\_4/7/2017\_\_\_\_\_  
Date