

**Resolution Agreement  
Florida State University  
OCR Docket # 04-15-2461**

The Florida State University (University) submits to the U.S. Department of Education, Office for Civil Rights (OCR), this Resolution Agreement (Agreement), to voluntarily resolve the above referenced complaint and to ensure compliance with 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, and Title II of the Americans with Disabilities Act of 1990 (Title II), as amended, 42 U.S.C §§ 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35.

**I. NOTICE OF SECTION 504/ADA COORDINATOR**

1. By May 16, 2016, the University will designate at least one employee to coordinate its efforts to comply with Section 504 and draft a notification statement that includes the coordinator(s) name, address, and contact information.

**REPORTING REQUIREMENT:** By May 31, 2016, the University will provide OCR the name(s) of the employee(s) designated to coordinate efforts to comply with Section 504 and a copy of a proposed notification statement.

2. Within 60 days of receiving approval from OCR, the University will publish the notification statement on its website and specifically on the Student Disability Resource Center's (SDRC) webpage, as well as the Student Handbook and any other appropriate location, as decided by the University.

**REPORTING REQUIREMENT:** Within 60 days of receiving OCR's approval, the University will provide OCR with documentation demonstrating that it published the notification statement on the SDRC's website and the Student Handbook along with documentation of any other document, handbook, or form containing the notification statement.

**II. 4-OP-C-7-13 Equal Opportunity, Non Discrimination and Non Retaliation Policy and Procedures (EQUAL OPPORTUNITY AND COMPLIANCE POLICY)**

1. By May 16, 2016, the University will revise its *Equal Opportunity and Compliance* policy to include a statement that the University will conduct an adequate, reliable, and impartial investigation of complaints, which includes providing complainants the opportunity to present witnesses and other evidence. The updated policy will also designate reasonably prompt timeframes for the major stages of the complaint process and state that the University will provide notice of the outcome of the investigation to both parties. It will also provide an assurance that the University will take steps to prevent any recurrence of any harassment and correct any discriminatory effects on the complainant and others, if appropriate. Finally, the updated policy will state that the Equal Opportunity and Compliance Office will refer complaints that should be processed under different procedures to the appropriate office or section within the University.

**REPORTING REQUIREMENT:** By May 31, 2016, the University will provide OCR a draft copy of the proposed *Equal Opportunity and Compliance* policy.

2. Within 60 days of receiving approval from OCR, the University will adopt and publish the updated *Equal Opportunity and Compliance* policy on its website.

**REPORTING REQUIREMENT:** Within 60 days of receiving approval from OCR, the University will provide OCR with documentation demonstrating that it published the updated *Equal Opportunity and Compliance* policy on its website.

### **III. NON-DISCRIMINATION POLICY AND GRIEVANCE PROCEDURES**

1. By May 16, 2016, the University will revise its *Non-Discrimination Policy and Grievance Procedures* to include a definition of disability harassment including what constitutes a hostile environment. The updated policy should also state where and to whom a complaint may be filed and state that it applies to third parties. The policy will include a statement that the University will conduct an adequate, reliable, and impartial investigation of complaints, which includes providing complainants the opportunity to present witnesses and other evidence; designate reasonably prompt timeframes for the major stages of the complaint process; provide written notice of the outcome of the investigation to both parties; and, provide an assurance that the University will take steps to prevent any recurrence of any harassment and to correct discriminatory effects on the complainant and others, if appropriate.

**REPORTING REQUIREMENT:** By May 31, 2016, the University will provide OCR a draft copy of the proposed *Non-Discrimination Policy and Grievance Procedures*.

2. Within 60 days of receiving approval from OCR, the University will adopt and publish the updated *Non-Discrimination Policy and Grievance Procedures* on its website and in the Student Handbook.

**REPORTING REQUIREMENT:** Within 60 days of receiving approval, the University will provide OCR with documentation demonstrating that it published the updated *Non-Discrimination Policy and Grievance Procedures* on its website and in the Student Handbook.

### **IV. GRIEVANCE AND COMPLAINT PROCEDURES FOR PERSONS WITH DISABILITIES**

1. By May 16, 2016, the University will revise its *Grievance and Complaint Procedures for Persons with Disabilities* to allow for both oral and written complaints and include a definition of disability harassment including what constitutes a hostile environment. The updated policy will include a statement that the University will conduct an adequate, reliable, and impartial investigation of complaints which includes a statement that the University will provide written notice to both parties of the outcome of the investigation and provide an assurance that the University will take steps to prevent any recurrence of any harassment and to correct discriminatory effects on the complainant and others, if appropriate.

**REPORTING REQUIREMENT:** By May 31, 2016, the University will provide OCR a draft copy of the proposed *Grievance and Complaint Procedures for Persons with Disabilities*.

2. Within 60 days of receiving approval from OCR, the University will adopt and publish the updated *Grievance and Complaint Procedures for Persons with Disabilities* on its website and in the Student Handbook.

**REPORTING REQUIREMENT:** Within 60 days of receiving approval from OCR, the University will provide OCR with documentation demonstrating that it published the updated *Grievance and Complaint Procedures for Persons with Disabilities* on its website and in the Student Handbook.

## **V. TRAINING**

1. The University will provide annual training for staff responsible for investigating complaints of disability discrimination under Section 504 on the revised procedures.

**REPORTING REQUIREMENT:** By August 29, 2016, the District will provide documentation to OCR demonstrating that the appropriate faculty and staff have attended the training provided pursuant to Item V. The documentation shall include, but shall not be limited to: (1) the date(s) of the training session(s); (2) a list of the names and job titles of the staff who participated in the training session(s); (3) a description of the presenter's background and qualifications; and, (4) a copy of the training materials disseminated, or in the event of electronic training, provide the training content.

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 of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. § 104.7 (a) and (b).

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. § 104.7 (a) and (b).

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 sixty (60) calendar days to cure the alleged breach.

This Agreement will become effective immediately upon signature of the President or designee below.

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President or Designee  
Florida State University

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Date