

**Resolution Agreement
Stetson University
OCR Docket No. 04-17-2023**

The U.S. Department of Education, Office for Civil Rights (OCR) initiated an investigation of the above-referenced complaint filed against Stetson University College of XXX (College) 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, which prohibit discrimination on the basis of disability. This Agreement has been entered into voluntarily by the College and does not constitute an admission by the College that it is not in compliance with Section 504 or its implementing regulations. To ensure compliance with Section 504, and the implementing regulations and to resolve the issues of this investigation, the College voluntarily agrees to take the following actions.

Individual Remedy

1. **By April 12, 2017**, the College will extend an offer in writing to the Complainant to re-take a final examination for the XXXXX course at issue in this complaint at the end of the spring semester of 2017. This XXXXX exam will give the Complainant an opportunity for a grade with the same weight as his prior XXXXX exam at issue, will be delivered in the same format, and cover the same course content. If the Complainant accepts the offer to re-take the exam, then the College will provide the Complainant's prior approved auxiliary aid of a lumbar support chair to him for the exam. If that chair is no longer available, another appropriate chair as identified through a good faith, deliberative, and interactive process between the College and the Complainant will be provided for the exam.¹

Reporting Requirement:

By April 29, 2017, the College will provide documentation to OCR showing that it has communicated the offer stated above.

By June 5, 2017, the College will provide copies of all documentation regarding the Complainant's response to the offer to OCR, and if the Complainant accepts the College's offer, the College will provide copies all documentation received, sent, generated, or related to the provision of an auxiliary aid of a lumbar support chair for the examination and grade on the exam to OCR, including any documentation demonstrating it engaged in a deliberative and interactive process to identify a new chair if applicable.

Training

2. **By May 1, 2017**, the College shall request that OCR deliver training to College staff, faculty, and administrators involved in the provision of accommodations regarding Section 504's requirements regarding provision of academic adjustments and auxiliary aids. The

¹ This resolution agreement item does not require the College to obtain devices or services of a personal nature for the Complainant or confer any duty upon the College beyond the requirements of Section 504. For more information on personal aids and services, see OCR's website at: <https://www2.ed.gov/about/offices/list/ocr/docs/auxaids.html>

training will cover a postsecondary institution's responsibilities in the provision of academic adjustments and auxiliary aids for qualified individuals with disabilities and the prohibitions of discrimination against, different treatment of, and harassment of students with disabilities consistent with Section 504 and the implementing regulations. The College will work in good faith with OCR to schedule the training under this item prior to September 30, 2017.

Reporting Requirements: Within 15 days of the completion of the training session under Item #2, the College will provide OCR with a log with names and titles of all faculty, employees, and administrators who attended the training.

The College 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 College understands that during the monitoring of this 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 of this Agreement and is in compliance with the Section 504 implementing regulation, at 34 C.F.R. §§ 104.4, and 104.44, which were at issue in this case.

The College understands that OCR will not close the monitoring of this Agreement until OCR determines that the recipient has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, at 34 C.F.R. §§ 104.4, and 104.44, which were at issue in this case.

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

This Resolution Agreement will become effective immediately upon the signature of the President, Dean, or his/her designee below.

 President, Dean, or Designee

 Date

 Printed Name and Title