

VOLUNTARY RESOLUTION AGREEMENT
Saint Leo University (Florida)
OCR Complaint # 04-17-2050

The U.S. Department of Education, Office for Civil Rights (OCR) and Saint Leo University (University) enter into this Resolution Agreement (Agreement) to resolve the allegation of discrimination on the basis of disability contained in the above-referenced complaint. This Agreement does not constitute an admission of liability, non-compliance or wrongdoing by the District. The University submits to this Agreement to ensure compliance with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulations, at 34 C.F.R. Part 104, which applies to entities that receive Federal financial assistance from the Department.

Prior to the completion of OCR's investigation, the University agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to ensure compliance with Section 504 and to resolve the issues in OCR Complaint # 04-17-2050, the University agrees to take the following actions:

Action Item 1: Revision and Publication of Non-Discrimination Notice

- (A) By **November 15, 2019**, the University will review and revise its Non-Discrimination Notice so that "nationality," which is currently specified as a basis on which discrimination is prohibited, is changed to "national origin," and to identify the name and/or title and the contact information of the University's Title IX Coordinator and its Section 504 Coordinator.

Reporting Requirement(s):

- (B) By **November 15, 2019**, the University will provide OCR with its revised Non-Discrimination Notice consistent with Action Item 1(A), above.
- (C) By **January 7, 2020**, the University will provide documentation to OCR demonstrate that it has formally adopted the revised Non-Discrimination Notice; updated any printed publications (inserts may be used pending reprinting of publications) and online publications with the newly revised Non-Discrimination Notice; and, electronically disseminated the revised Non-Discrimination Notice to students and employees. This documentation will include, at a minimum: (i) printouts or a link to all online publications that reference the revised Non-Discrimination Notice; (ii) evidence of the electronic dissemination of the Non-Discrimination Notice to students and employees such as evidence of website posting; and, (iii) copies of relevant pages, or if not yet finalized copies of inserts, for any printed publications.

Action Item 2: Revision and Publication of the University's Guide to Residential Living and Policy and Procedure Manual for Students with Disabilities

- (A) By **November 1, 2019**, the University will review and revise its Guide to Residential Living (Residential Guide), its Policy and Procedure Manual for Students with Disabilities (Disability Manual), and, as applicable, any related documents that refer to information in these documents such as brochures and online content so that:
- a. The University will add provisions to the Residential Guide and the Disability Manual to ensure that students with disabilities who require private housing features (such as private a housing unit, a private bedroom, a private bathroom and/or a private kitchen(ette)) as a means of accommodating their disabilities are appropriately accommodated in compliance with Section 504 and not charged a higher housing rate solely because of the need for accommodation(s).
 - b. The University will remove the following provisions from the Residential Guide and Disability Manual:
 - i. "Roommates will be assigned to students with disability occupying modified rooms in the same manner as other residential students;" and
 - ii. "Rental rates for students with documented disabilities shall be set at the same rate as any other student at Saint Leo University."
 - c. The University will remove the following provision from the Residential Guide:
 - i. "Students who request reasonable housing accommodations must be prepared to provide documentation of the disability by a qualified professional on a yearly basis."
 - d. The University will add provisions to the Residential Guide ensuring that:
 - i. All the University's requirements (ranging from meal plans to residence hall housing terms (related to graduate status and part-time enrollment status)) are subject to the Section 504 requirements regarding reasonable modifications for students with disabilities; and
 - ii. Students with disabilities who require special housing to accommodate their disabilities will receive priority in housing assignments.
 - e. The University will remove the following provision(s) from the Disability Manual:
 - i. "Students requesting digital books, special seating, use of special equipment, captioning, and interpreters must request these services one semester prior to the anticipated need."
 - ii. "This accommodation [requests for audio textbook services] must be made when the student registers for classes, as it takes 4-6 weeks to obtain books."
 - iii. "Requests for [sign language] interpreter services must be made well in advance due to the limited number of interpreters and the time to establish services."
 - iv. "Extended time for assignments is not an accommodation that is normally given at post-secondary institutions. However, an accommodation may be written when a student has a documented disability which may potentially flair up and prohibit timely submission of assignments."

- v. The statements that require a letter from a physician (for physical, visual, speech, or medical disability) and a psychiatrist (for mental impairments (emotional/psychological disorder)) disclosing the student's medications.
- vi. The items on the "Approved Accommodations" form that limit the academic adjustment of "no penalty" for "spelling, grammatical/capitalization/punctuation errors" to "in-class writing" only; and limit the adjustment of "extended time" on examinations to "1.5."
- f. The University will add provisions to the Disability Manual that:
 - i. Identify a reasonable amount of time for students to request digital books/audio textbook services, special seating, use of special equipment, captioning, and sign language interpreters.
 - ii. Create options on the University's accommodations form to permit the University's Office for Disability Services to grant students any reasonable academic adjustment it determines a student needs, but which is currently precluded by the list of adjustments on the form.
- g. The University will reconcile inconsistencies in the Disability Manual regarding:
 - i. The identity of the University's final-decision maker of disability-related decisions; and
 - ii. The reference to "seizure disorder" on the "Disability Self Disclosure Form [for] Other Medical Conditions," which should refer, instead, to "other medical conditions."

Reporting Requirements:

- (A) By **November 15, 2019**, the University will submit the revised Residential Guide, Disability Manual, and related documents to OCR, consistent with Action Item 2, above.
- (B) By **December 16, 2019**, the University will provide documentation to OCR to demonstrate that it has formally adopted & implemented the revised Residential Guide, Disability Manual, and related documents; updated any printed publications (inserts may be used pending reprinting of publications) and online publications with the newly adopted revisions; and, electronically disseminated the newly adopted revisions to students and employees. This documentation will include, at a minimum: (i) printouts or a link to all online publications containing the revisions; (ii) evidence of the electronic dissemination of the revisions to students and employees such as evidence of website posting; and, (iii) copies of relevant pages, or if not yet finalized copies of inserts, for any printed publications.

Action Item 3: Staff Training on Revised Residential Guide and Disability Manual

- (A) By **January 20, 2020**, the University will provide training to any University administrators who are involved in the process of evaluating requests for, making decisions about, and billing, approved housing accommodations and to any University administrators who are involved in the process of evaluating requests for and making decisions about academic adjustments and auxiliary aids and services. The University's training will cover the

University's revised Residential Guide, Disability Manual, and related documents, revised pursuant to Action Item 2, as applicable, and the University's obligations to provide housing accommodations and academic adjustments and auxiliary aids/services in accordance with the requirements of Section 504.

Reporting Requirement(s):

By **January 24, 2020**, the University will submit to OCR documentation demonstrating that the University has completed the training described in Action Item 3. The report will, at a minimum, include the following: identify the person(s) who provided the training; include a description of the person's qualifications; indicate the date(s) of the training(s), including signed and dated sign-in sheets with the names and titles of the training participants; include a copy of any materials used or disseminated during the training; and, include the names and titles of the administrators who participated; state the total number of staff not in attendance and the measures taken by the University to ensure that each of those staff members is provided the training materials and an opportunity to ask questions to clarify the training materials.

The University understands that by signing this Agreement, it agrees to provide the foregoing 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 Section 504 and its implementing regulation, at 34 C.F.R. §§ 104.4(a), (b)(4)(i) and 104.43(a), 104.45. Upon completion of the obligations under this Agreement, OCR shall close this case.

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 the signature of the University's representative below.

Date: _____

Printed Name: _____

Printed Title: _____

Signature: _____

[President or Authorized Representative
of Saint Leo University]