

**Barry University
Resolution Agreement
Complaint #04-17-2056**

The U.S. Department of Education, Office for Civil Rights (OCR), enters into this agreement to resolve the allegation in the above-referenced complaint filed against Barry University (University). This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the University. The University assures OCR that it will take the following actions to comply with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. Section 794, *et seq.*, and its implementing regulation at 34 C.F.R. Part 104 and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. Sections 12131, *et seq.*, and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance and public entities, respectively.

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 (CPM). Accordingly, to resolve the issues of this investigation, the University agrees to take the following actions.

Provision of letter of accommodation:

1. By **June 15, 2018**, the University shall provide the Complainant with a letter identifying the accommodations which she was approved and provided during testing at the University.

Reporting Requirement: By **June 30, 2018**, the University will submit the documentation described in Item 1.

Training of Teaching and Administrative Staff:

2. **Within 4 months of the execution of the Agreement**, at a mutually amenable date and time, OCR will provide training to all University Teaching and Administrative Staff regarding the University's responsibilities to students under Section 504 and Title II, specifically, the prohibition against retaliation. The University commits to training its Teaching and Administrative Staff annually thereafter regarding the same requirements.

Reporting Requirement: **Within 10 days of the training conducted** the University will provide a sign in sheet for the training conducted which shall include the following information: the total number of teaching administrative staff at the University; a total count of attendees; and a statement describing the manner in which the University intends to provide the training information and materials to any staff members unable to attend.

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 the regulations implementing Section 504 at 34 C.F.R. § 104.33 and the regulations implementing Title II at 28 C.F.R. § 35.130. Upon completion of the obligations under this Agreement, OCR shall close and dismiss 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.

President or Designee

Date