

**Resolution Agreement
Auburn University
OCR Complaint #04-17-2242**

The U.S. Department of Education, Office for Civil Rights (OCR) and Auburn University (University) enter into this Resolution Agreement (Agreement) to resolve the allegation in the above-referenced complaint. 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. § 794, and its implementing regulation, 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance; and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131 *et seq.*, and its implementing regulation, 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by public entities.

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 voluntarily agrees to take the following actions.

Individual Remedy/Re-Admission

1. **By February 1, 2018**, the University will reprocess the Complainant's¹ application for readmission and give the Complainant a minimum of 60 days' notice to accept or reject admission.

REPORTING REQUIREMENT: By February 15, 2018, the University will provide OCR with a copy of the letter of admission sent to the Complainant.

2. **By August 1, 2018**, if the Complainant decides to attend the University, University staff will engage in an interactive process with the Complainant to develop and implement a course of study along with requested academic adjustments.

REPORTING REQUIREMENT: By August 30, 2018, the University will provide a copy of the agreed upon course of study along with the agreed upon academic adjustments.

Training

3. **By May 1, 2018**, the University will initiate annual training of Registrar, Admissions, and Financial Aid Office personnel regarding Section 504 and Title II's prohibition of different treatment based on disability, and the requirement for an interactive process to determine the needs for student with disabilities.

¹ OCR's letters of notification states that the complaint was filed on behalf of the "Applicant"; OCR is referring to the Applicant as the "Complainant" for purposes of this Resolution Agreement.

REPORTING REQUIREMENT: By August 30, 2018, the University will provide OCR with (1) documentation of the above-referenced training; (2) the name and qualifications of the person who provided the training; (3) the names and job titles of persons attending the training and; (4) the dates and the agenda for the training, along with any training materials distributed.

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 Section 504 implementing regulation at 34 C.F.R. § 104.43(a)-(c), and the Title II implementing regulation at 28 C.F.R. § 35.130(a) and (b)(1)(i)-(iii). 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.

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President or Designee

Date: 2/28/2018