

RESOLUTION AGREEMENT
Chamberlain University School of Nursing
OCR Docket # 04-21-2120

The U.S. Department of Education, Office for Civil Rights (OCR) and Chamberlain University School of Nursing (University) enter into this resolution agreement (Agreement) to resolve the allegations 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.

Prior to the completion of OCR's investigation, the University voluntarily agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to resolve the issues which OCR opened for investigation in OCR Complaint Number 04-21-2120, the University voluntarily agrees to take the following actions:

ACTION ITEM:

Within ninety (90) days of the execution of this Agreement, the University will provide training to the University's Office of Student Disability Services staff and all University staff at the Atlanta Campus responsible for implementing the University's disability policy and procedure regarding the requirements to modify its academic requirements, including the provision of auxiliary aids and services, and modifications of policies, practices and procedures in compliance with Section 504 at 34 C.F.R. § 104.44 (a). The training will focus on:

- a) The University's obligation to make such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of disability, against a qualified applicant or student with disabilities. Academic requirements that the recipient can demonstrate are essential to the instruction being pursued by such student or to any directly related licensing requirement will not be regarded as discriminatory within the meaning of 34 C.F.R. § 104.44(a).
- b) The requirement that a decision must be made regarding whether a modification to its academic requirements is necessary to ensure that such requirements do not discriminate or have the effect of discriminating on the basis of disability against a qualified applicant or student with a disability (i.e., a decision must be made to either grant or deny the request).
- c) If the request is approved, the Office of Student and Disability Services will work with the applicant or student and any University colleagues (e.g., instructors, test administrators) to expeditiously implement the approved accommodation(s).
- d) If the request is denied, the Office of Student and Disability Services will coordinate with the applicant or student to explore alternative reasonable accommodation options.

Reporting Requirements:

Within one hundred twenty (120) days of the execution of this Agreement, the University will provide OCR with a written report confirming the completion of training specified in the Action Item. The documentation shall include: (1) the background and qualifications of the presenters/trainers; (2) a copy of the transcript(s)/materials used for the training; (3) dated sign-in sheets that include the participants' names and titles that completed the training; and (4) the University's plans to provide the training to University staff who were unable to attend the training.

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. § 104.44(a) 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.

_____/s/_____

President Atlanta Campus

8/12/2021_____

Date