



RESOLUTION AGREEMENT

Sam Houston State University
OCR Case Number: 06162255

A. GENERAL TERMS & PRINCIPLES:

Sam Houston State University (SHSU or Recipient) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office. By this Agreement, SHSU commits to the following actions, consistent with the requirements of Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulations at 34 C.F.R. Part 104; and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131 *et seq.*, and its implementing regulations at 28 C.F.R. Part 35, to resolve the compliance concerns raised by the complainant's allegations.

Recipient understands that by signing the Agreement, it agrees to provide data and other information in a timely manner. Further, Recipient understands that, during the monitoring of the Agreement, OCR may visit Recipient, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether Recipient has fulfilled the terms of the Agreement and is in compliance with the statute(s) and regulations that were at issue in this case.

Recipient understands that OCR will not close the monitoring of the Agreement until such time that OCR determines that Recipient has fulfilled the terms of the Agreement and is in compliance with the statute(s) and regulations that were at issue in this case.

Recipient understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR shall give Recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

This Agreement does not constitute an admission by SHSU that it discriminated or otherwise engaged in any wrongdoing. SHSU hereby voluntarily commits to these General Terms and Principles, and to the following Action Items and Reporting Requirements.

B. ACTION ITEMS & REPORTING REQUIREMENTS:

UNIVERSITY-WIDE REMEDIES:

Action Item 1

By the later of **February 28, 2018** or **within forty-five (45) days of OCR providing approval of the training materials**, SHSU will conduct training session(s) for all faculty and staff on its obligation under Section 504 and Title II to accommodate students' service animals and emotional support animals. The information must include, but shall not be limited to, the credentials of the individual(s) selected to conduct the training, a proposed plan for the training session (e.g., length of the training session, topics to be considered, etc.), and a description of the training materials to be used by the trainer(s) and/or provided to attendees during the training session.

Reporting Requirement: Action Item 1

- a. **By December 1, 2017**, and prior to the training that Action Item 1 requires, SHSU will provide OCR, for review and approval, a copy of the training module and/or outline of the training materials that SHSU will use; the name, title, credentials, and contact information for the person(s) who will conduct the training; and a description or copy of the notification that the District will use to inform attendees of the mandatory training.
- b. **By the later of February 28, 2018 or within forty-five (45) days of OCR providing approval of the training materials**, SHSU will conduct the training and provide OCR with detailed information regarding the training conducted pursuant to Action Item 1. SHSU will provide OCR with sign-in sheets for all training sessions showing all staff who attended the training; the date of the training session(s); a copy of the training materials used; and the name, title, credentials, and contact information of the person(s) who provided the training.

Action Item 2

By **January 31, 2018**, SHSU will conduct training session(s) for all staff in the Services for Students with Disabilities Office (SSD) regarding the procedures that govern requests for auxiliary aids and services by students with auditory and/or visual processing impairments, including, but not limited to, providing CART services, allowing students to audio or video record classes, providing Power-Point materials, and/or providing transcripts. The information must include, but shall not be limited to, the credentials of the individual(s) selected to conduct the training, a proposed plan for the training session (e.g., length of the training session, topics to be considered, etc.), and a description of the training materials to be used by the trainer(s) and/or provided to attendees during the training session.

Reporting Requirement: Action Item 2

By February 28, 2018, SHSU will provide OCR with detailed information regarding the training conducted pursuant to Action Item 2. SHSU will provide OCR with sign-in sheets for all training sessions showing all SSD staff who attended the training; the date

of the training session(s); a copy of the training materials used; and the name, title, credentials, and contact information of the person(s) who provided the training.

Action Item 3

By **December 1, 2017**, SHSU shall review, and revise if necessary, its policy of requiring students to sign *Student Agreements*¹ Regarding Use of CART Transcripts, Recording of Class Lectures, Use of Power-Point Materials, and Regarding Alternative Text Formats. To the extent these auxiliary aids and services are utilized by students, and one or more *Student Agreement* is required, SHSU will ensure that all SHSU students, not just students with a disability, are required to sign such Agreements.

Reporting Requirements: Action Item 3

- a. **Within fifteen (15) calendar days** of completing its examination of the policy noted in Action Item 3, SHSU provide a summary of its evaluation and determination of whether or not to keep, modify, or eliminate the relevant policy.
- b. **Within thirty (30) calendar days** of completing its examination and evaluation of this policy, SHSU shall disseminate a policy reminder, or notice of policy update, as relevant, to all faculty and staff in the Academic and Student Affairs Divisions regarding use of Student Agreements.
- c. **Within fifteen (15) calendar days** of disseminating a policy reminder, or notice of policy update, SHSU shall provide a copy of the reminder or notice to OCR.

Action Item 4

- a. By **December 1, 2017**, SHSU will complete a self-evaluation under Section 504 and Title II of the entrance door opening force into the George J. Beto Criminal Justice building and the Lowman Student Center.
- b. Following the self-evaluation, SHSU will develop a written plan (Plan) by **January 15, 2018**, identifying the modifications, if any, that are necessary to ensure that the entrance door opening force is accessible to and usable by persons with mobility impairments. The Plan will include a timetable for completion of all identified modifications with a time period not to exceed **March 1, 2018** or **within thirty (30) days of OCR's plan approval**.

Reporting Requirements: Action Item 4

- a. By **December 15, 2017**, SHSU will provide OCR a copy of the results of the self-evaluation of the entrance door opening force at the George J. Beto Criminal Justice building and the Lowman Student Center.

¹ SHSU has four student agreements: (1) Regarding Use of CART Transcripts, (2) Recording of Class Lectures, (3) Use of Power-Point Materials, and (4) Regarding Alternative Text Formats. The agreements indicate that the student will only use the recording or other materials for their own study purposes, and will not otherwise disseminate or reproduce the recording or materials.

- b. By **January 15, 2018**, SHSU will provide OCR with a copy of the Plan or Plans developed as a result of its review of the entrance door opening force at the George J. Beto Criminal Justice building and the Lowman Student Center for OCR’s review and approval.
- c. Following OCR’s approval of the Plan or Plans, SHSU will provide OCR with progress report by the later of **March 1, 2018** or **within thirty (30) days of OCR’s plan approval**, regarding the entrance door opening force for the George J. Beto Criminal Justice building and the Lowman Student Center, including the completion of any renovations or modifications, as applicable. The report will include a description of the work performed, along with photographs (with dimensions, as applicable) and copies of any invoices or work orders. The District will continue to provide OCR with progress reports until the Agreement has been fully implemented and any work to be done under the Agreement has been completed.

C. EXECUTION:

On behalf of SHSU, I hereby agree to and voluntarily submit this Resolution Agreement to the U.S. Department of Education, Office for Civil Rights, Dallas Enforcement Office, and commit to the general terms, principles, action items, and reporting requirements contained herein.

Dr. Dana G. Hoyt
President, Sam Houston State University

Date