

RESOLUTION AGREEMENT

Jackson State University (University) OCR Complaint No. 06-16-2292

The U.S. Department of Education, Office for Civil Rights (OCR) and Jackson State University (University) enter into this 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. Section 794, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II) and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability and retaliation by recipients of Federal financial assistance.

Prior to the completion of OCR's investigation, the University requested to resolve the issue of this complaint pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve the issue of this complaint, the University agrees to take the following actions.

Action Item 1

By February 4, 2019, the University will offer the Complainant, in writing, to meet with her to review whether she requires any housing accommodations and/or modifications to her current accommodations. The University will allow at least thirty (30) calendar days for the Complainant to respond. If the Complainant elects to meet with the University, the University will ensure that it follows its established policies/procedures regarding academic adjustments and accommodations. The University will also ensure that all approved accommodations are provided to the Complainant for the duration of her enrollment at the University.

Reporting Requirement 1

- (a) By March 18, 2019, the University will provide documentation to OCR demonstrating that it made the offer to the Complainant, consistent with Action Item 1.
- (b) By May 3, 2019, the University will provide to OCR documentation of the Complainant's response, if any, to the offer made consistent with Action Item 1.
- (c) By May 3, 2019, the University will provide to OCR documentation of the University approved accommodations granted to the Complainant per Action Item 1.

Action Item 2

By February 28, 2019, the University will provide to the Complainant any XX---phrase redacted--XX documentation she is entitled to have from her visits to the University's XX---to end of

sentence redacted---XX. For any document not provided, the University will explain, in writing, to the Complainant the reason for the denial citing any applicable regulation or policy.

Reporting Requirement 2

By March 18, 2019, the University will submit to OCR copies of the documentation it provided to the Complainant per Action Item 2 above, including any denial of documentation and an explanation as to the denial citing any applicable regulation or policy. The University will also indicate the method by which it was provided to the Complainant, and the date on which it provided the documents.

Systemic Remedies

The University agrees to take the additional steps as outlined in the Resolution Agreement for OCR complaint numbers 06-16-2027 and 06-17-2104 pertaining to training for staff and the issuance of a memorandum to staff reminding them of the University’s obligations under Section 504 and Title II, and the prohibition against retaliation.

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 request such additional reports or data, including simulated website accounts and passwords, 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. § 104.61, and Title II and its implementing regulation at 28 C.F.R. § 35.134. 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/_____
Dr. William B. Bynum Jr., President
Jackson State University

Date