

**RESOLUTION AGREEMENT**  
**University of Northern Colorado**  
**Case Number 08-15-2238 and 08-15-2259**

In order to resolve compliance concerns found in Case Numbers 08-15-2238 and 08-15-2259, filed against the University of Northern Colorado (University) and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR) pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 United States Code (U.S.C.) § 794 and its implementing regulation at 34 Code of Federal Regulations (C.F.R.) part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131- 65, and its implementing regulation at 28 C.F.R. part 35, the University agrees to implement the following Resolution Agreement.

1. By October 15, 2017, the University will review and revise its Disability Student Services (DSS) testing policy and procedures. The University will ensure that the policies and procedures comport with the requirements of 34 C.F.R. §§ 104.43 and 104.44. The revised policies and procedures will contain provisions explaining the testing center procedure for test scheduling and rescheduling in circumstances where a testing center or professor error interferes with the student's academic adjustments or auxiliary aids.

By October 15, 2017, the University will provide OCR with a draft of its revised DSS testing policy and procedures for OCR's approval. The University must receive OCR approval of the revised policies before implementing them.

2. Within 30 days of OCR policy approval, the University will train all disability services staff members on the revised DSS testing policy. Training will include an admonition that the University is not to retaliate against students who advocate on their own behalf as students with disabilities.

The University will provide OCR with written verification (sign in sheets, agendas, handouts, presenter's notes, and presenter's credentials) that it has provided all the training required in Agreement Item 2.

3. By October 15, 2017, the University will review and revise its Discrimination, Harassment, Retaliation and Misconduct policy and procedures. The University will ensure that the discrimination complaint procedure comport with the requirements of 34 C.F.R. §§ 104.7 and 104.8. The revised discrimination complaint procedures will contain provisions outlining timeframes for all the major parts of the complaint process.

By October 15, 2017, the University will provide OCR with a draft of its revised Discrimination, Harassment, Retaliation and Misconduct policy and procedures for OCR's approval. The University must receive OCR approval of the revised procedures before implementing them.

4. Within 30 days of OCR policy approval, the University will train all University staff responsible for the investigation of discrimination complaints on the revised discrimination complaint procedures.

The University will provide OCR with written verification (sign in sheets, agendas, handouts, presenter's notes, and presenter's credentials) that it has provided all the training required in Agreement Item 4.

5. If the policy and procedures are available through a public internet site, the University will provide OCR with a URL to the posting of the University's Discrimination, Harassment, Retaliation and Misconduct policy and procedures once it is posted.

OCR will not close the monitoring of this Agreement until OCR determines that the University has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504 and Title II which were at issue in this case.

The University 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 regulations implementing Section 504 and Title II which were at issue in 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 remain in effect until OCR determines that the University has fully complied with all of its provisions. Upon determining that the University has achieved full compliance with the terms of this Agreement, OCR will conclude its monitoring and will notify the University that it is closing this case and terminating this Agreement.

The person signing for the University represents that he or she is authorized to bind the University to this Agreement. This Agreement becomes effective the date of the final signature below.

For University of Northern Colorado:

/s/ 9/20/17

President Date