

Resolution Agreement
Grand Canyon University
OCR Case Number 08-17-2141

Grand Canyon University (University) enters into this 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) and its implementing regulation at 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability in programs and activities that receive Federal financial assistance from the Department. As a recipient of Federal financial assistance from the Department, the University is subject to this law and its regulations.

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. Accordingly, to resolve the issues of this investigation, the University agrees to take the following actions.

Re-enrollment

- I. Within thirty (30) calendar days of signing the Agreement the University will submit to OCR written documentation of the following:
 - a. that the University allowed the Complainant to register for the University's Nursing Program for either the summer semester of 2018 or fall semester of the 2018-2019 school year;
 - b. that the University provided the Complainant with a full scholarship to retake NUR-436 or to use for another course in an alternate program if the Complainant does not pass the Med-Math exam for NUR-436; and
 - c. that the University changed the Complainant's grade in NUR-436 from an F to a W.
- II. Should the Complainant successfully pass the Med-Math exam for NUR-436, the Complainant will need to update the following information to complete her enrollment:
 - a. copy of active Health Insurance Card;
 - b. Basic Life Support (BLS) Card;
 - c. Medical Clearance Form;
 - d. XXX
 - e. XXX
 - f. XXX
- III. The University agrees to reimburse the Complainant for any costs associated with updating the information required in Term II.
 - a. The University will provide the Complainant with reimbursement within thirty (30) days of the Complainant submitting a receipt.
 - b. The University will submit to OCR proof that it has reimbursed the Complainant within seven (7) days of submitting a reimbursement to the Complainant.

- IV. Should the Complainant pass the Med-Math exam the University will provide to OCR, within thirty (30) days of the Complainant passing the exam, enrollment documents that indicate that the Complainant is fully enrolled in the University's Nursing Program for either the summer semester of 2018 or the fall semester of the 2018-2019 school year.

Testing

- V. Within thirty (30) calendar days of signing the Agreement the University will submit to OCR a written plan for the Complainant to be provided with two (2) attempts to pass the Med-Math exam of the NUR-436 course with all of the testing accommodations that were approved by the University on March 14, 2016. The plan will include:
- a. A date and time within the 2017-2018 academic year that the University and Complainant have agreed upon, for the Complainant to retake the exam.
 - b. A location at the University that the University and Complainant have agreed upon, where the Complainant will retake the exam.
 - c. A proposal by the University to provide the Complainant with tutoring or a refresher course for a period of time agreed upon by the University and Complainant, prior to retaking the exams.
- VI. Should the Complainant pass the Med-Math exam for NUR-436 she will not be required to pass it again when she takes NUR-436 during either the summer semester of 2018 or the fall semester of the 2018-2019 school year.

Policies

- VII. Within sixty (60) calendar days of this Agreement being signed, the University will submit to OCR for review and approval new policies or regulations regarding:
- a. Procedures by which both students and faculty are notified of students' approved accommodations;
 - b. Procedures by which students are to receive their approved accommodations;
 - c. Procedures by which individuals administering tests, exams, and quizzes are notified of which students have approved testing accommodations; and
 - d. Procedures by which students are allowed to make up a missed clinical rotation day in the Nursing Program. If making up a missed clinical rotation day is not allowed and automatically results in a non-passing grade in the course then the policy should clearly indicate that prohibition. If making up a missed clinical day is allowed in certain circumstances then the policy should clearly specify under what circumstances it is allowed.
- VIII. The University will promptly and fully address feedback from OCR until it receives OCR's final approval of the policy for Term VII.
- IX. Within sixty (60) calendar days of OCR's final approval of the policy, the University will adopt, publish, and disseminate the approved policy.
- a. Publication must include the University's website and all relevant internal or public handbooks or manuals produced by the University.

- b. Dissemination must include all University administrators and faculty.
- X. Within sixty (60) calendar days of receiving OCR's final approval of the policy or regulation, the Recipients will provide to OCR:
 - a. A copy of the final policy or regulation;
 - b. Documentation showing that the policy or regulation was adopted;
 - c. Documentation showing where the policy or regulation was published; and
 - d. Documentation showing to whom the policy or regulation was disseminated.

Staff Training

- XI. Within ninety (90) calendar days of receiving OCR's final approval of the policies the University will submit to OCR for review and approval:
 - a. Draft materials to train staff on the policies described in Term VII of this Agreement; and
 - b. The name(s), title(s) or position(s), and qualifications of one or more proposed individuals to provide the training to the Recipients' staff.
- XII. Within one hundred twenty (120) calendar days of receiving OCR's final approval of the materials and trainer(s), the University will provide the training to all faculty and administrators in the University's Nursing Program.
- XIII. Within thirty (30) calendar days of the training being provided, the University will provide to OCR:
 - a. The date, time, and location of the training;
 - b. Confirmation that the approved trainer(s) delivered the training;
 - c. The agenda and materials from the training;
 - d. The names and titles of all staff who attended the training; and
 - e. The name(s) and title(s) of all staff who were required to attend the training pursuant to Term XII, but who did not attend the training, an explanation for each person's absence, and any make-up dates for the training.

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 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 Section 504 and its implementing regulations at 34 C.F.R. Part 104. Upon completion of the obligations under this Agreement, OCR shall close 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.

For the University:

/s/

3/29/2018

Brian Roberts, General Counsel

Date