

RESOLUTION AGREEMENT

University of Colorado Case Number 08-17-2153

The U.S. Department of Education, Office for Civil Rights (OCR) and the Regents of the University of Colorado for an on behalf of the University of Colorado – Denver (University) enter into this agreement to resolve an 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), 42 U.S.C. Sections 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance and public entities, respectively. Accordingly, to resolve the issue of this investigation, the University agrees to take the following actions.

1. By November 1, 2017, the University will provide the Complainant the option to re-take the ELEC 1520 course with the approved academic adjustments/accommodations at no cost to the Complainant, during the Spring 2018 semester. Notice of the option will be provided to the Complainant in writing and will include a request of the Complainant to inform the University by November 10, 2017 as to whether or not he accepts the University's offer. Any remaining Terms of this Agreement shall not apply if the Complainant elects not to re-take the course and all agree that the University has no further obligation under this Agreement.

REPORTING REQUIREMENT #1:

Within 10 days of the date notice is sent to the Complainant of the option to take the ELEC 1520 course, the University will provide OCR with a copy of the notice.

REPORTING REQUIREMENT #2:

By November 15, 2017, or earlier if available, the University will provide OCR documentation showing whether the Complainant has elected to re-take the offered course.

2. If the Complainant has elected to re-take the course, before the start of the Complainant's Spring 2018 semester, the Disability Resource and Services Office shall designate a coordinator to communicate to the Complainant's course instructor the academic adjustments/accommodations that had, at a minimum, been previously approved and were available to the Complainant in the course in Spring 2017. The University will ensure that the Complainant is offered and has available his approved academic adjustments/accommodations for the Spring 2018 semester.

REPORTING REQUIREMENTS: Within 15 calendar days of the start of Complainant's Spring 2018 semester, the University will provide to OCR documentation demonstrating that it provided the Complainant the opportunity to pursue all approved academic adjustments/accommodations in effect for the start of the course.

At the completion of the Complainant's Spring 2018 semester, the University will provide a report to OCR summarizing the academic adjustments/accommodations provided to the Complainant.

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 Section 504 and its implementing regulation at 34 C.F.R. part 104 and Title II and its implementing regulation at 28 C.F.R. part 35, which were at issue in this case.

The University understands that 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 Section 504 and its implementing regulation at 34 C.F.R. part 104 and Title II and its implementing regulation at 28 C.F.R. part 35, 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 the Agreement, OCR shall give the University written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

For the Regents of the University of Colorado

for and on behalf of the University of Colorado Denver

_____/s/
Roderick Nairn, PhD
Provost and Executive Vice Chancellor
For Academic and Student Affairs

11/2/17
Date