

**Resolution Agreement**  
**Colorado State University - Pueblo**  
**Complaint No. 08-17-2239**

In order to resolve allegations in OCR case number 08-17-2239 filed against the Colorado State University-Pueblo (University) and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR), the University agrees to implement this Resolution Agreement. This case was initiated pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), and its implementing regulation at 34 C.F.R. §§ 104.4(a), 104.4(b)(4)(i), 104.43(a) and 104.44(a) and Title II of the Americans with Disabilities Act of 1990 (Title II) and its implementing regulation at 28 C.F.R. §§ 35.130(a), 35.130(b)(1)(ii) and (iii), 35.130(b)(7) and 35.130(f), which were at issue in this case.

During the course of OCR's investigation, before OCR had made any findings, the University indicated its willingness to take steps necessary to ensure compliance with Section 504 and Title II. Pursuant to Section 302 of OCR's *Case Processing Manual*, a complaint may be resolved when, before the conclusion of an investigation, a recipient expresses an interest in resolving the complaint, OCR believes that doing so is appropriate, and the remedies align with the allegations. The University's decision to enter into this Agreement is not an admission of liability or wrong-doing, nor shall it be construed as such.

1. The University will review and revise its policies, procedures and practices (policies and procedures) for the provision of the academic adjustment of a course substitution for the general mathematics requirement for students with disabilities, who request such academic adjustment. The University will not require a student with a disability so profound that it precludes him or her from completing the general mathematics requirement to take a math course, if he or she has not already taken a math course, before qualifying for a math course substitution. OCR will review the draft policies and procedures to ensure their consistency with the regulations.

**REPORTING REQUIREMENT 1:** By **February 1, 2018**, the University will provide for OCR's review and approval a copy of the draft revisions to the University's policies and procedures.

2. OCR will provide feedback to the University concerning its draft policies and procedures where warranted. Within 30 days of OCR's approval of the draft policies and procedures, the University will adopt and implement the revised policies and procedures.

**REPORTING REQUIREMENT 2:** Within 30 calendar days of its final adoption of the revised policies and procedures, the University will provide documentation to OCR establishing that it has adopted and implemented the new policies and procedures.

3. Within 30 days after adopting the new policies and procedures, the University will provide training highlighting the changes to the policies and procedures to Disability Resource and Support Center (DRSC) staff and administrators as well as the committee members responsible for deciding whether a student qualifies for a general mathematics requirement

course substitution.

**REPORTING REQUIREMENT 3:** Within 20 calendar days of providing the training, the University will provide OCR with documentation that it has conducted the required training and will provide the following information: the date(s) the training was conducted; a list of staff, faculty and administrators, by name and title, who participated in the training and copies of any written materials (i.e., slides, handouts) used or distributed during the training.

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 the regulations implementing Section 504 and Title II, which were at issue in this case.

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 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 regulation implementing Section 504, at 34 C.F.R. §§ 104.4(a), 104.4(b)(4)(i), 104.43(a) and 104.44(a) and the Title II implementing regulation at 28 C.F.R. §§ 35.130(a), 35.130(b)(1)(ii) and (iii), 35.130(b)(7) and 35.130(f), 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 the 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 Colorado State University - Pueblo:

/s/

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Timothy Mottet  
President

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November 15, 2017  
Date