

RESOLUTION AGREEMENT

University of Denver
OCR Case Number: 08212215

The University of Denver (DU or Recipient) voluntarily enters this Resolution Agreement (Agreement) pursuant to Section 302 of OCR's *Case Processing Manual*. The Recipient voluntarily agrees that it will take the following actions to comply with Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulations at 34 C.F.R. Part 104, and to resolve the Complainant's allegations.

This Agreement does not constitute an admission by DU that it violated any law, discriminated against the Complainant, or engaged in any wrongdoing. Prior to the completion of OCR's investigation, DU agreed to resolve this complaint. Accordingly, DU voluntarily agrees to take the following actions:

ACTION ITEMS AND REPORTING REQUIREMENTS

Action Item 1 – Policies and Procedures

By August 11, 2023, DU will review and amend its policies and procedures, including, but not limited to, individualized determinations regarding providing extra time on assignments and tests, and allowing extra permitted tardies and absences as accommodations to students through the Disability Services Program (DSP). DU will also review its mechanism for DSP to resolve disagreements between professors and students about the implementation of DSP-approved accommodations and academic adjustments. DU's review will ensure that each of the above-stated items include an explicit statement of nondiscrimination that advises readers that DU will not discriminate against students with disabilities and includes reference (e.g., website link) to DSP.

Reporting Requirements for Action Item 1

- A. **Within thirty (30) days of OCR's approval of the revisions required by Action Item 1 above**, DU will adopt and implement the policies and procedures, including on its webpage, and inform the DU community about the changes to the policies and procedures. Within ten (10) days of their adoption and implementation, DU will provide OCR with documentation of their adoption and implementation, including the uniform record locator (URL) for the revised policies and procedures.
- B. **Within sixty (60) days of OCR's approval of the revisions required by Action Item 1**, DU will replace all printed versions of the former policies and procedures with the revised ones and provide written confirmation of this step to OCR.

Action Item 2 - Training

Within ninety (90) days of OCR's approval of Action Item 1, DU will provide training on the revised approved policies and procedures referenced in Action Item 1 (Training).

The Training will be provided to all relevant personnel including, but not limited to all DSP staff; all faculty at the Morgridge College of Education (MCE); and any faculty and staff who engage

with students regarding seeking accommodations through DSP. The Training will be made available to all other faculty and staff who engage with students in the academic context. The Training will be conducted by an individual or individuals knowledgeable about laws and issues pertaining to disability discrimination, including Section 504, and the policies and procedures referenced in Action Item 1.

Reporting Requirements for Action Item 2

- A. **Within fifteen (15) days of OCR's approval of Action Item 1, and prior to the providing the Training outlined in Action Item 2**, the Recipient will provide OCR, for review and approval, the following:
- i. A copy of the Training materials the Recipient will use (e.g., Power Point slides, discussion materials);
 - ii. The name, title, credentials, and contact information for the person(s) who created the Training materials, and who will provide the training.
- B. **Within fifteen (15) days of completing the training required by Action Item 2**, the Recipient will provide OCR with detailed information regarding the Training conducted pursuant to Action Item 2, including the following:
- i. A list of all personnel who completed the training (e.g., sign-in sheets) (List);
 - ii. Assurance that the List constitutes the entirety of the personnel required to attend the Training;
 - iii. The date(s) of the Training;
 - iv. A copy of the Training materials used; and
 - v. The name, title, credentials, and contact information of the person(s) who provided the Training.

By signing the Agreement, the Recipient understands and agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. During the monitoring of the Agreement, OCR may visit the Recipient, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Recipient has fulfilled the terms of the Agreement.

The Recipient understands that OCR will not close the monitoring of the Agreement until such time as OCR determines that the Recipient is in compliance with the terms of the Agreement and the statutes and regulations at issue in the case.

The Recipient understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice for judicial proceedings to enforce the specific terms of the Agreement and the applicable statutes and regulations. Before initiating such proceedings, OCR will give the Recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

EXECUTION:

This Agreement will become effective immediately upon the signature of the Recipient's authorized representative below.

Michelle Knight-Manuel
Dean, Morgridge College of Education

Date