

RESOLUTION AGREEMENT
Western Governors University
Case Number 08-22-2144

Western Governors 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 Code of Federal Regulations Part 104. As a recipient of Federal financial assistance from the Department, the University is subject to this law and these 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.

1. The University's standard letters and emails sent to the University's Teachers College students regarding student teaching placements and referencing COVID-19 vaccination will indicate that the University does not have a COVID-19 vaccination requirement.

REPORTING REQUIREMENT: Within 30 days of the date of this Agreement, the University will provide OCR with the draft letters and emails that include the revised language for OCR's approval.

2. The University will send the Complainant and all other students in the University's Teachers College a letter or email explaining that the program does not have a COVID-19 vaccine requirement for student teacher placements and describing how the University will assist unvaccinated students with disabilities in obtaining placements.

REPORTING REQUIREMENT: Within 30 days of the date of this Agreement, the University will provide OCR with a certified copy of the letter or a copy of the email.

3. The University will provide Section 504 training to administrators in the University's Teachers College program.

REPORTING REQUIREMENT: Within 30 days of the date of this Agreement, the University will submit for OCR's review and approval a copy of its proposed training materials to implement Item 3, along with the name and qualifications of the proposed trainer demonstrating that the trainer is a competent authority on Section 504.

REPORTING REQUIREMENT: Within 30 days of OCR's approval of the trainer and training materials, 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 and administrators, by name and title, who participated in the training.

4. The University will provide the Complainant with a student teaching placement needed to obtain her teaching credential.

REPORTING REQUIREMENT: Within 30 days of the date of this Agreement, the University will provide OCR with documentation that the Complainant has been provided with a student teaching placement.

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 the Agreement, if necessary, OCR may visit the University, interview University employees 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.

The University understand that OCR will not close the monitoring of this Agreement until OCR determines that the University has demonstrated compliance with Section 504 of the Rehabilitation Act of 1973 and its implementing regulations, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close and dismiss 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.

For Western Governors University:

Bob Hunt
SVP, General Counsel

Date