

**Resolution Agreement
American University of Health Sciences
Case Number 09-14-2065**

In order to resolve the compliance issues identified during the investigation of the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), the American University of Health Sciences (University) agrees to take the actions outlined in this Resolution Agreement (Agreement).

I. Provisions

- A. The University will revise existing policies and procedures or develop policies or procedures that provide for the prompt and equitable resolution of complaints of disability discrimination, including failure to provide University approved accommodations, different treatment, and harassment against students with disabilities, so that they are consistent with the requirements of 34 C.F.R. §104.7. The University may address these issues in a single grievance procedure, or in separate procedures, so long as all disability discrimination grievance procedures comply with the following:
1. Provide accurate definitions of various types of disability discrimination that may provide the basis for a complaint pursuant to the University's grievance procedures.
 2. Identify the grievance procedure to be used for students who claim that the University has failed to provide University approved accommodations.
 3. Provide notice of the procedure to students, including where to file complaints, that is easily understood, easily located, and widely distributed.
 4. Clearly state that the procedure applies to complaints alleging discrimination by employees, other students, or third parties.
 5. Provide adequate, reliable, and impartial investigation of complaints, including an equal opportunity to present witnesses and other evidence.
 6. Include provisions ensuring that individuals who play a role in the receiving, investigating, or otherwise processing student complaints of disability discrimination do not have any actual or perceived conflicts of interest in the process.
 7. Provide designated and reasonably prompt timeframes for major stages of the complaint process, as well as the process for extending timeframes.

8. Provide written notice to the parties of the outcome of the complaint.
 9. Provide an assurance that steps will be taken to prevent recurrence of any discrimination and to correct its effects on the complainant and others.
- B. By August 8, 2014, the University will provide OCR with the proposed changes to the discrimination grievance procedures. OCR will review and approve or require changes within 30 days of receipt. Within 30 days of receiving final approval from OCR, the University will provide OCR with documentation that the changes have been adopted. By November 7, 2014, the University will provide OCR with copies of the applicable pages from its revised publications that contain the procedures. By November 21, 2014, the University will provide OCR with web links showing that the University's website has been updated to include a link to the procedures.
- C. By December 12, 2014, the University will provide training to all administrators, faculty, and other staff who are involved in the resolution of complaints of disability discrimination. Areas to be addressed in the training include:
1. A summary and review of the requirements of Section 504.
 2. The revised provision of the grievance procedures, including the complaint procedures and process for individuals who allege disability discrimination.
 3. Investigation of allegations of disability discrimination.
- D. Within fifteen days of the completion of the training, the University will provide to OCR verification of the training, and a copy of the sign-in sheets for the training, a statement identifying the trainer and his or her qualifications, and a copy of all material distributed or discussed at the training.

II. MONITORING

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 of the Rehabilitation Act of 1973, at 34 C.F.R. §104.7(b), which was 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 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 the regulation implementing Section 504, at 34 C.F.R. §104.7(b), which was 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 this Agreement, OCR shall give the University written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Dr. Joyce Giger
University President

_____07/01/2014_____
Date