

VOLUNTARY RESOLUTION AGREEMENT

I. INTRODUCTION

Concordia University enters into this agreement to resolve the allegations in a complaint (Reference No. 10142237) filed with the U.S. Department of Education, Office for Civil Rights (OCR), under section 504 of the Rehabilitation Act of 1973, and its implementing regulation at 34 C.F.R. Part 104.

II. GENERAL PROVISIONS

- A. This agreement resolves the allegations in OCR Reference No. 10142237 and does not constitute an admission by the university of any violation of Section 504, or any other law.
- B. OCR agrees to discontinue its investigation of OCR Reference No. 10142237 based upon the university's commitment to take the actions specified in this agreement which, when fully implemented, will resolve the allegations in this case.
- C. 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 implementation 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 regulations implementing Section 504 at 34 C.F.R. Part 104, which was at issue in this case.
- D. The university understands that OCR will not close the monitoring of the implementation of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with the regulations implementing Section 504 at 34 C.F.R. Part 104 which was at issue in this case.
- E. The university understands and acknowledges that, if it does not fully implement this agreement, OCR may take appropriate measures within its authority to effect compliance and that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this agreement. Before initiating administrative enforcement (see 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.

III. RESOLUTION PROVISIONS

A. Procedures and Practices

1. The university will review and revise for OCR's review and approval, its current policies, procedures, and practices to ensure that disability-related services are provided to qualified students in accordance with Section 504 and its implementing regulations at 34 C.F.R. Part 104. The policies and procedures must specifically ensure that:
 - a. students receive notice from the university of the opportunity to request disability-related academic adjustments, auxiliary aids, and program modifications and receive notice of any specific university requirements for requesting adjustments, aids, and modifications, including the timeframes and guidelines by which students are expected to submit requests, the name and contact information for the university employee to whom students should submit any requests, and any requirements for appropriate documentation of students' disabilities and need for adjustments, aids, and modifications;
 - b. an interactive process occurs between the university and students about obtaining effective academic adjustments, auxiliary aids, and program modifications;
 - c. when requests for academic adjustments, auxiliary aids, and program modifications are approved by the university, students, relevant university faculty, and staff members are promptly and effectively notified so that the academic adjustments, auxiliary aids, and program modifications can be implemented in a timely manner; and
 - d. when requests for academic adjustments, auxiliary aids, and program modifications are not approved by the university, specific reasons for such decisions are clearly articulated and documented in writing to students; and, as applicable, students are informed of any additional information the university needs to reevaluate students' requests.

2. Within 90 calendar days of receiving OCR's feedback on the draft policies and procedures reviewed and revised by the university pursuant to section III.A.1. of this agreement, the university will incorporate OCR's input and adopt and implement the policies and procedures.

B. Notice and Training

1. Within 30 calendar days of adopting the revised policies and procedures, the university will provide written notice to all administrators and staff of the university's disability-related policies, procedures, and practices.
2. By **September 5, 2014**, the university will initiate a program to provide, at a minimum, annual training to all identified administrators and staff on their obligation to provide disabled students with approved academic adjustments and auxiliary aids and services in accordance with Section 504 and its implementing regulations at 34 C.F.R. Part 104.

C. Student-Specific Actions

1. By **September 5, 2014**, the university will contact the subject student to identify the specific classroom chair that is necessary to meet his disability-related academic needs.
2. By **September 5, 2014**, the university will provide the student with closed-captioning and a note-taker in his classroom, laboratory, and lecture hall settings.
3. Within 14 days of receiving the information described in section III.C.1, above, the university will provide the student with the classroom chair that meets his disability-related needs.

IV. REPORTING

A. Policies and Procedures

1. By **October 1, 2014**, the university will provide for OCR's review and approval with the results of its review of its policies, procedures, and practices as described in section III.A, above.

2. As promptly as possible, OCR will review and provide feedback to the university about the results of its review submitted to OCR pursuant to section IV.A.1, above.
3. Within 30 calendar days of adopting the policies and procedures pursuant to section III.A, of this agreement, the university will provide OCR with a detailed report about its adoption and implementation of the policies and procedures. The report will include the method by which the policies and procedures were adopted, the date of the adoption, the university's plan for implementation of the policies and procedures, and a copy of the adopted policies and procedures.

B. Notice and Training

1. By **October 1, 2014**, the university will provide OCR a copy of the written notice referenced above in section III.B.1, above.
2. By **October 1, 2014**, the university will provide OCR a report on the training referenced above in section III.B.2, above. The report will include a copy of the training materials, date of training, a copy of the attendance sheet, and the name and title of the trainer used for the 2014-2015 academic year.
3. By **October 1, 2014**, the university will provide OCR with a report describing the actions initiated by the university to provide the annual training referenced in section III.B.2., above.

C. Student-Specific Actions

By **October 1, 2014**, the university will provide OCR with a report stating that the actions identified in section III.C, above, have been completed.

Signed:

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Dr. Charles E. Schlimpert
President
Concordia University

September 3, 2014
Date