

## **VOLUNTARY RESOLUTION AGREEMENT**

Pacific Northwest University (University) voluntarily agrees to take the following actions to resolve the allegations in a complaint (Reference No. 10182126) filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973 (Section 504).

### **A. Academic Adjustments/Auxiliary Aids Procedures**

#### Action Item

1. The University will review and revise its policies, procedures, and practices (procedures) with regard to the provision of academic adjustments and auxiliary aids and services for students with disabilities to ensure that the University shall make modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate, or have the effect of discriminating, on the basis of disability, against a qualified disabled student, unless the University can demonstrate that the academic requirement is essential to the instruction being pursued by the student or to any directly related licensing requirement. The procedures will include provisions for students to interact with the University about their requested academic adjustments or auxiliary aids, including a process for the University to request the student to provide additional supporting documentation if needed and a requirement that the University provide students with its reasons for denying any of the requested academic adjustments or auxiliary aids. The procedures will also ensure that the University makes decisions regarding requested academic adjustments and auxiliary aids in a timely manner. The procedures will refer students to the University's grievance procedure (see section B, below) if the student has a grievance with regard to the academic adjustments/auxiliary aids process.
2. The University will adopt the revised procedures after having received OCR's approval, and ensure the procedure is placed on the University's website in a location easily identifiable for students, employees and the public.

#### Reporting Requirements

3. By February 25, 2019, the University will submit to OCR for review and approval the University's proposed revised procedures with regard to the provision of academic adjustments and auxiliary aids and services to students with disabilities. If OCR requires changes to the revised procedures, the University will re-submit the procedures to OCR for review

and approval within 30 days of receiving notice of the revisions required by OCR. OCR and the University will follow the same process until OCR approves the University's revised procedures.

4. Within 60 days of receiving OCR's approval of the University's revised procedures, the University will provide OCR with a description of the adoption of the revised procedures and the location of the revised procedures on the University's website.

## **B. Grievance Procedure**

### Action Item

1. The University will adopt a modified grievance procedure that incorporates appropriate Section 504 due process standards and provides for the prompt and equitable resolution of complaints of disability-based discrimination.
2. The University will adopt the procedure after getting OCR's approval, and ensure the procedure is placed on the University's website in a location easily identifiable for students, employees and the public.

### Reporting Requirements

3. By February 25, 2019, the University will submit to OCR for review and approval the University's proposed grievance procedures for complaints alleging discrimination on the basis of a disability. If OCR requires changes to the proposed grievance procedures, the University will re-submit the procedures to OCR for review and approval within 30 days of receiving notice of the revisions required by OCR. OCR and the University will follow the same process until OCR approves the University's revised procedures.
4. Within 60 days of receiving OCR's approval of the University's grievance procedures, the University will provide OCR with a description of the adoption of the revised procedures and the location of the grievance procedures on the University's website.

## **C. Training**

### Action Items

1. The University agrees to provide additional training to its staff in the Student Affairs Office (SAO) and all other pertinent staff members with

responsibilities interacting with the SAO regarding students with a disability, as to the revised procedures and grievance process, above.

### Reporting Requirements

2. Within 60 days of OCR’s approval of the policies and procedures described in Action Items A and B, the University will submit to OCR for review and approval a copy of any training materials developed in accordance with this section; the name and qualifications of the person designated to conduct the training; the persons who will receive the training; and a proposed timeframe to conduct the training. If OCR requires changes to the proposed training, the University will re-submit the information to OCR for review and approval within 30 days of receiving notice of the revisions required by OCR. OCR and the University will follow the same process until OCR approves the University’s proposed training.
3. Within 20 days of providing the approved training, the University will provide documentation to OCR demonstrating the University completed the training, including a copy of all training materials used (if any are different from the pre-approved materials), the date of the training, and a copy of the attendance sheet with the names and title of the attendees.

## **D. Student-Specific Actions**

### Action Item

1. The University will reimburse the student in question for the 2017-18 academic school year, second semester tuition, not to exceed \$26,500.00. Reimbursement shall be limited to costs directly resulting from the complaint allegations.

### Reporting Requirement

2. By February 25, 2019, the University will provide OCR with documentation that it provided payment to the student, including the information that it used to determine the amount of the payment if the payment is less than \$26,500.00.

## **E. General Monitoring Principles**

1. The University understands that by signing this agreement, it agrees to provide OCR data and other information in a timely manner in

accordance with the reporting requirements of the agreement. Further, the University understands that during the monitoring of this agreement, OCR may visit the University campus, 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. Upon the University’s satisfaction of the commitments made under this agreement, OCR will close this case.

2. The University understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this agreement and Section 504 and its implementing regulations, at 34 C.F.R. § 104.4, § 104.43, and § 104.44. Before initiating such proceedings, OCR will give the University written notice of the alleged breach and 60 days to cure the alleged breach.

Signed:

Date:

/s/

12/21/18

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Designated Representative  
Pacific Northwest  
University