

**Voluntary Resolution Agreement  
Lewis and Clark College  
OCR No. 10192046**

Lewis and Clark College (college) voluntarily agrees to take the following actions to resolve an allegation in a complaint (OCR No. 10192046) filed with the U.S. Department of Education (Department), Office for Civil Rights (OCR), under Section 504 of the Rehabilitation Act of 1973, which prohibits discrimination and retaliation on the basis of disability in programs and activities that receive federal financial assistance from the Department.

**A. Training to Staff**

1. By April 1, 2020, the college will develop a proposed training to be provided to all faculty in the college's XXXXXXXXXXXXX regarding Section 504's prohibition on retaliation for engaging in civil rights related protected activity. The proposed training will include, at a minimum: (a) that Section 504 and its implementing regulation prohibit retaliation on the basis of disability; (b) examples of what constitutes a protected activity under Section 504, including, but not limited to, requests for accommodations for a disability; (c) examples of what constitutes an adverse or retaliatory action, including, but not limited to, giving a student a failing grade in a course or referring a student to an academic review process; (d) that taking an adverse or retaliatory action against those engaging in protected activities is unlawful; and (e) information regarding how to raise concerns about a student's approved accommodations with the college in a way that is not retaliatory towards the student.

**Reporting Step:** Within 30 days of developing the proposed training, the college will submit a report regarding the proposed training for OCR's review and approval. If OCR determines that the proposed training does not meet the requirements of section A.1 above, OCR will notify the college and the college will submit a revised report within 30 days of receiving OCR's feedback. OCR and the college will continue this process until OCR approves the proposed training.

2. Within 180 days of receiving OCR's approval of the proposed training described in section A.1 above, the college will provide training to all faculty in the college's XXXXXXXXXXXXXXXXXXXX.

**Reporting Step:** Within 30 days of completion of the training, the college will provide OCR a report on the trainings it provided pursuant to section A.2 of the agreement. The report will include: the date(s) of the training(s); a copy of the training agenda(s) and any training materials; the name and title of the

presenter(s); and the names and titles of the individuals who attended the training(s).

**B. Student-Specific Remedy**

1. By April 1, 2020, the college will review all the instructors' of the student and the student's files and will make all best efforts to identify and permanently expunge any written or electronic references to the XXXXXX, including but not limited to any notes, memorandums, or other communications created as part of the XXXXXXX process.

**Reporting Step 1:** Within 30 days of taking the actions described in section B.1, the college will provide documentation to OCR demonstrating its compliance with section B.1, including but not limited to a copy of the expunged documents.

2. Within 60 days of completing the actions described in section B.1, the college will provide written notice to the student that it made all best efforts to identify and expunge all documents containing or referencing the student's XXXXXXXXXXXXXXXXXXXX from its files.

**Reporting Step:** Within 10 days of providing the written notice to the student, the college will provide a copy of the written notice to OCR.

**C. General Monitoring Principles**

1. The college 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 college understands that during the monitoring of this agreement, OCR may visit the college campus, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the college has fulfilled the terms of this agreement
2. Upon the college's satisfaction of the commitments made under the agreement, OCR will close the case.

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3. The college understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and/or the applicable statutes and regulations. Before initiating such proceedings, OCR will give the college written notice of the alleged breach and 60 calendar days to cure the alleged breach.

Signed:

Date:

/s/

January 8, 2020

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Dr. Wim Wiewel  
President  
Lewis and Clark College