

**Resolution Agreement  
Howard University  
OCR Complaint No. 11-15-2040**

Howard University (the University) agrees to fully implement this resolution agreement (Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-15-2040. The University's decision to enter into the Agreement is not an admission that the University has violated Section 504 of the Rehabilitation Act of 1973 (Section 504) or any other law enforced by OCR.

**SECTION 504 AND UNIVERSITY GRIEVANCE PROCEDURES TRAINING**

1. **By September 30, 2015**, the University will provide training on its policies and procedures related to academic adjustments and auxiliary aids (i.e., "accommodations") and the responsibilities of faculty in implementing accommodations to all academic administrators, faculty and instructional staff in the College of Medicine. At a minimum, the training will include:
  - a. An overview of the University's responsibility for providing academic adjustments/auxiliary aids to students with disabilities, and
  - b. The University's grievance procedures regarding complaints filed about the provision academic adjustments to students with disabilities.

**REPORTING REQUIREMENT: By August 27, 2015**, the University will provide for OCR's review and approval an outline of the Section 504 training as described in Item 1a.-1b., along with the name and qualifications of the trainer(s).

**REPORTING REQUIREMENT:** Within 10 days of OCR's approval of the above training provisions, the University will schedule the training. Within 10 days following each training, the University will provide to OCR copies of sign-in sheets from each training session.

**STUDENT REMEDIES**

2. **Within 10 days** of entering this Agreement, the University will notify the Complainant in writing that he may choose from one of the following two options, at no cost to the Complainant: (1) re-take the midterm exam for the Introduction to Clinical Medicine (ICM) course (with the proper provision of required modifications), or, in the alternative, (2) if he returns to the University, re-take the entire ICM course (with the proper provision of required modifications). In the event the Complainant elects to re-take the midterm exam for the ICM course, the University will inform the Complainant of the date the midterm exam will next be administered, in accordance with when the College of Medicine offers the course.

**REPORTING REQUIREMENT: By August 20, 2015**, the University will submit to OCR written verification that it provided the Complainant with notice of the option described in item 2, and will submit to OCR a copy of that notice sent to the Complainant.

**REPORTING REQUIREMENT: By September 30, 2015**, the University will notify OCR whether the Complainant returned to the University for the fall 2015 semester; what

option, if either, he chose; and, if applicable, a description of the University's action plan to execute that option.

3. The University will offer the Complainant the opportunity to replace and substitute the grade the Complainant receives as a result of either retaking the course or the midterm exam (as calculated with other grades from the spring 2015 course) for the final grade he received in the ICM course during spring 2015, if the new grade is higher than the previously earned grade.

**REPORTING REQUIREMENT: Within 15 days of the University's offer to replace and substitute the new grade for the final grade received in the ICM course during spring 2015, the University will submit to OCR documentation of the offer.**

**REPORTING REQUIREMENT: Within 15 days of the Complainant's response to the University's offer to replace and substitute the new grade for the final grade received in the ICM course during spring 2015, the University will submit to OCR documentation of the response.**

**REPORTING REQUIREMENT: If the Complainant elects to have the grade replaced, within 30 days of the University's posting of the Student's new grade in the ICM course, the University will submit to OCR written notice of to the Complainant's final grade.**

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 regulation implementing the provisions of Section 504, at 34 C.F.R. Part 104, 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 the provisions of Section 504, at 34 C.F.R. Part 104, 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.

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Dr. Wayne A.I. Frederick, President or designee  
 Howard University

\_\_\_\_—8/5/15\_\_\_\_\_  
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Date