

**North Carolina Central University**  
***OCR Case No. 11-16-2194***

North Carolina Central University (the University) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 11-16-2194. This Agreement does not constitute an admission by the University of a violation of Section 504 of the Rehabilitation Act of 1973 (Section 504) or Title II of the Americans with Disabilities Act of 1990 (Title II), the implementing regulations of these statutes, or any other law enforced by OCR.

1. By August 22, 2016, the University will issue a letter by First-Class mail and email to the Complainant:
  - a. Notifying her that the University will, at the request of the Complainant, provide her with any video that was assigned as part of the XXXX course, XXXX, with closed captioning. The University will provide the Complainant with a list of the videos that were assigned in the course.
  - b. Providing her with the contact information for the Program Director of the Teacher of Students with Visual Impairment Program and notifying her that the Program Director will facilitate communication with an instructor in the Program during the XXXX semester (through XXXX) if Complainant has clarification questions regarding the content of the videos; and
  - c. Notifying her that she has two (2) weeks from the date of the letter to respond to the University indicating whether she elects to receive any of the closed captioned videos and specifying which videos she is requesting, and that the University will provide the Complainant with the videos requested on a rolling basis, with all videos to be provided by November 1, 2016.

If the Complainant does not provide her written response to the letter within three (3) weeks of the issuance of the letter, the University will notify OCR and will be under no further obligation regarding this provision.

**Reporting Requirement:**

By August 26, 2016, the University will provide OCR with verification that it provided the Complainant with the notifications set forth in Items 1(a)-(c), including all documents setting forth said notifications.

Within one (1) week of receiving the Complainant's response, if any, the University will provide OCR with the Complainant's response.

By December 16, 2016, if the Complainant elects to receive any closed captioned videos, the University will provide OCR with (1) verification that all requested videos were provided, including a list of which videos were provided and the date they were provided,

and (2) that the Complainant has received a response to any clarification questions, including the name of the instructor(s) that responded to the questions.

2. By August 10, 2016, the University will create a plan for ensuring that the Complainant is provided with accommodations<sup>1</sup> to access the University's program, as determined based upon an interactive process between the Complainant and Student Disability Services for the duration of her enrollment at the University; in so doing, the University will clearly identify and document what accommodations that have been deemed appropriate. The plan will include:
  - a. The name and contact information of the Complainant's primary and secondary contact person within Student Disability Services.
  - b. Deadlines by which Student Disability Services will communicate the Complainant's accommodations to her instructors.
  - c. Deadlines by which Student Disability Services will request information from the Complainant's instructors regarding course materials to identify needs for accessibility accommodations and modifications.
  - d. Process to provide closed captioned videos to the Complainant, when videos are shown or required in a course, the same day other students in the class watch or receive the videos.

The University will notify the Complainant of the plan and provide her with a copy of the plan by August 15, 2016.

Reporting Requirement:

By August 17, 2016, the University will provide OCR with a copy of the plan and verification that it provided the plan to the Complainant. The University will additionally notify OCR of who was involved in the creation of the plan.

3. The University will provide training to all Student Disability Services staff and any other staff and personnel who are responsible for coordinating student accommodations. The training should address, at a minimum, the University's responsibilities with regard to:
  - (a) providing accommodations to students with disabilities; and
  - (b) appropriately responding to student complaints that the student's accommodations were not provided or are not sufficient to afford the student an equal opportunity to participate in the University's program. The University also will send correspondence to all University faculty, EHRA non-faculty, and staff employees who are involved in providing accommodations to students with disabilities, reminding them of their obligations to provide students with disabilities with accommodations so course materials and activities

---

<sup>1</sup> When the term "accommodations" is used in this document, it refers to academic adjustments and auxiliary aids and services as those terms are used in 34 C.F.R. § 104.44 and reasonable modifications as that term is used in 28 C.F.R. § 35.130(b)(7).

are accessible to students with disabilities at the same time as students without disabilities.

Reporting Requirement:

By September 1, 2016, the University will provide to OCR a copy of the training materials and the name and title of the person who will conduct the training and the correspondence for review and approval.

Within two (2) weeks of receiving final approval from OCR, the University will deliver the training and circulate the correspondence.

Within one (1) week of the delivery of the training and circulation of the correspondence, the University will provide to OCR: (i) a copy of the final training materials; (ii) sign-in sheets including the names and titles of all University staff and personnel who received this training, and the date each individual member completed the training; (iii) any other documents related to the completion of the training; and (iv) written confirmation that the correspondence has been circulated to faculty, EHRA non-faculty, and staff employees.

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 Section 504 and Title II, at 34 C.F.R. Part 104 and 28 C.F.R. Part 35, respectively.

The University understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the University understands that during the monitoring of this Agreement, 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 and Title II, at 34 C.F.R. Part 104, and 28 C.F.R. Part 35, respectively, 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.

Full implementation of this Agreement by the University resolves Office for Civil Rights (OCR) Case No. 11-16-2194.

By: \_\_\_\_\_/S/\_\_\_\_\_ Date: \_\_\_\_\_8/1/16\_\_\_\_\_

Dr. Debra Saunders-White  
Chancellor  
North Carolina Central University