

RESOLUTION AGREEMENT
North Carolina Central University
OCR Case No. 11-17-2036

North Carolina Central University (the University) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 11-17-2036. 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 regulation of these statutes, or any other law enforced by OCR.

1. The University will review and revise its internal procedures for processing and investigating all informal complaints of discrimination or harassment on the basis of disability to provide for a prompt and equitable resolution of the complaints. The University will ensure that its internal procedures for handling informal complaints, at a minimum, provide that when handling informal complaints, the investigator will request the identity of any witnesses, and that the witnesses will be promptly contacted and interviewed, if appropriate, to ensure thoroughness of the investigation. In addition, the internal procedures, and any publicly available information regarding the informal grievance process, will provide that the complainant will be notified that he/she can file a formal complaint.

Reporting Requirement:

By May 15, 2017, the University will provide OCR with its revised internal procedures for investigating informal complaints for review and approval.

Within one (1) week of receiving final approval from OCR, the University will distribute its revised internal procedures to the Office of Student Disability Services and all staff and personnel who are responsible for investigating informal complaints of discrimination or harassment on the basis of disability.

2. The University will provide training to all Student Disability Services staff and any other staff and personnel who are responsible for investigating informal complaints of discrimination or harassment on the basis of disability. The training should address, at a minimum, the University's responsibilities with regard to: (a) appropriately investigating informal complaints of discrimination or harassment on the basis of disability, including its procedures pursuant to Section 1 above; and (b) documenting the investigations.

Reporting Requirement:

By June 1, 2017, or within two weeks of receiving approval from OCR of the revised internal investigative procedures for informal complaints, whichever is later, 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 for review and approval.

By August 14, 2017, the University will deliver the training.

Within one (1) week of the delivery of the training, the University will provide to OCR:
(a) a copy of the final training materials; (b) sign-in sheets, including the names and titles of all University staff and personnel who received the training, and the date each individual completed the training; and (c) any other document related to the completion of the training.

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, 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 of Civil Rights (OCR) Case No. 11-17-2036.

By: _____/s/_____
Johnson O. Akinleye, Ph.D.
Interim Chancellor, North Carolina Central University

Date: _____04/10/2017_____