

RESOLUTION AGREEMENT
Duke University
OCR Case No. 11-17-2118

Duke University (the University) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 11-17-2118. 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 any other law enforced by OCR.

1. The University will review all leave of absence policies and procedures (including for both personal and medical leaves of absence) for undergraduate students. The University will then revise its existing policies and procedures as necessary, or develop new policies and procedures to, at a minimum, provide for:
 - a. A clear description of any requirements, including suggested or required minimum leave times;
 - b. Notice of restrictions while on leave and the punishments for not complying with those restrictions;
 - c. Equal processes for personal and medical leaves (including minimum leave requirements and campus visitation restrictions);
 - d. A clear description of the reapplication process at the end of a leave of absence; and
 - e. The name and contact information of the individual(s) students may contact with any questions regarding the policies and procedures.

Reporting Requirement: No later than November 1, 2017, the University will provide OCR with its proposed policies and procedures for review and approval.

2. The University will publicize the revised leave of absence policies and procedures by sending written notification to undergraduate students through the University email system. The University will also send a link to the revised policies and procedures to undergraduate faculty and student affairs employees. The University will also post a link to the policies and procedures on the website at: <https://trinity.duke.edu/osr>.

Reporting Requirement: Within 15 school days of sending the email notifications required by Item 2, the University will submit to OCR a copy of the email communications as documentation of completion of this Item.

3. The University will provide mandatory training(s) on the leave of absence policies and procedures to academic deans and any deans with leave of absence responsibilities, the Office of Student Returns (OSR) staff, and staff from the office of Counseling and Psychological Services (CAPS) and Student Disability Access Office (SDAO) involved in the medical or personal leave process. The trainings will be conducted within 30 days of the publication of the policies, unless final exams have begun in which case they will be done at the beginning of the Spring 2018 semester.

Reporting Requirement: At least two weeks prior to the scheduled training, the University will provide OCR with the name and qualifications of the trainer and an outline of the training content for OCR approval.

Reporting Requirement: Within 30 days of the completion of the training(s), the University will provide copies of sign-in sheets or other documentation of participation from the training session(s).

4. The University will provide to OCR information about all requests to OSR to return from leaves of absence submitted during the XXXX and XXXX semesters of the XXXX school year and information about all return decisions. The University will provide a chart with return request information for OCR's review. Using anonymized names, the University will provide the type of leave for each student, the date of the student's request to return, the date of the determination regarding the student's return, the date of the communication of the return decision to the student, and a summary of the return decision. The University will also provide OCR with the separation letter sent to each undergraduate student who took a leave of absence, personal or medical, during the XXXX school year. The University understands that OCR may request additional information or documentation as necessary about a particular case.

Reporting Requirement: By January 31, 2018 and June 30, 2018 respectively, the University will provide OCR with the information described above.

5. The Complainant may communicate with his academic dean should he need to communicate with the University about a leave or return decision in the future. While the Complainant may communicate with his academic dean, any future leave or return decisions regarding the student will be made by the Office of Student Returns per the University's policy.

Reporting Requirement: Within 30 days of the signing of this agreement, the University will provide OCR with a copy of communication with the Complainant informing him of his point of contact.

6. The University has reviewed the Complainant's transcript and official disciplinary record and confirms there is no notation that the Complainant was put on probation for his visit to campus while on medical leave.

Reporting Requirement: Within 30 days of the signing of this agreement, the University will provide OCR with a copy of the Complainant's transcript and official disciplinary record for verification.

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 regulations implementing

Section 504, at 34 C.F.R. Part 104, which was at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close 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.

By: _____/s/_____
Name and Title

Date: _____10/11/2017_____