

RESOLUTION AGREEMENT
North Carolina Agriculture and Technical State University
OCR Complaint No. 11-20-2024

North Carolina Agriculture and Technical State University (the University) agrees to fully implement this Resolution Agreement (the Agreement) to resolve the allegations investigated in Office for Civil Rights (OCR) Complaint No. 11-20-2024. This Agreement does not constitute an admission by the University of a violation of Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (Title II), or any other law enforced by OCR.

Action Item A: The Student

By XXXXX XXXXX XXXXX, the University will assess whether there are any remedies available to the Student, including with respect to tuition and any related expenses, for the following:

1. Any delay in processing the Student's request for academic adjustments and/or auxiliary aids and services for the XXXX XXXXX semester in a timely manner (until XXXXX XXXXX XXXXX such that it resulted in a delay of the Student's receipt of such aids and services for his XXXXX XXXXX (XXXXX XXXXX) course (Course A), as required by his OARS Disability Verification Form/Accommodation Plan (the Plan).
2. Any failure by the professor for Course A in providing the Student with XXXXX XXXXX XXXXX XXXXX on his XXXXX and XXXXX for Course A, an academic adjustment and/or auxiliary aid and service required by the Plan.

Reporting Requirements:

- a. By XXXXX XXXXX XXXXX, the University will provide OCR with the written results of its assessment, including any proposed remedies for the Student.
- b. By XXXXX XXXXX XXXXX, the University will provide OCR with documentation that it implemented remedies for the Student, including any written correspondence sent to the Student and/or the Complainant in this regard.

Action Item B: Section 504/Title II Training on Academic Adjustments and Auxiliary Aids and Services

1. Prior to the start of the Fall 2020 semester, the University will distribute written guidance to all University faculty and staff outlining their responsibilities to students with disabilities and the requirements of Section 504 and Title II. The University will ensure that the guidance emphasizes the requirement for University faculty and staff to fully implement a student's approved academic adjustments and/or auxiliary aids and services, as stated on a student's OARS Disability Verification Form (the Form) or other accommodation plan;

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

and that any concerns regarding the information contained on the Form, or the implementation thereof, shall be referred to OARS and not the student. The guidance must provide faculty and staff with an opportunity to ask questions or request clarification of the appropriate University personnel on the information presented.

Reporting Requirements:

- a. At least 30 days prior to the distribution of the guidance, the University may provide a copy of the proposed guidance for OCR's review.
 - b. Within 7 days of the distribution of the guidance, and to the extent not already provided, the University will provide OCR with a final copy of the guidance and documentation confirming distribution.
2. By December 31, 2020, the University will provide an in-person, video, or virtual training to OARS staff, Academic Deans, Department Chairs, or other similar personnel, who are typically responsible for responding to inquiries regarding the provision of academic adjustments and/or auxiliary aids and services; as well as to new University faculty during new faculty orientation. The University will ensure that the training addresses the University's responsibilities to process such student requests in a timely manner. The training will also emphasize the requirement for University faculty and staff to fully implement a student's approved academic adjustments and/or auxiliary aids and services, as stated on a student's OARS Disability Verification Form (the Form) or other accommodation plan; and that any concerns regarding the information contained on the Form, or the implementation thereof, shall be referred to OARS and not the student. The University will ensure that the format used provides participants with an opportunity to ask questions or request clarification of the appropriate University personnel on the material presented. Participants will be required to complete a knowledge check at the conclusion of the training.

Reporting Requirements:

- a. By November 15, 2020, the University may provide for OCR's review, and to the extent not already provided, the proposed training materials, including the name(s) and title(s) of the trainer(s), their qualifications, and agenda or outline of the training, and any handouts or presentations developed.
 - b. By January 15, 2021, and to the extent not already provided, the University will provide OCR with documentation confirming completion of the required training, including: (a) the name(s) and titles(s) of the individual(s) who conducted the training and their qualifications; (b) the date(s) of the training session(s); (c) all training materials; and (d) a sign-in sheet including a list of the names, signatures, and position titles of the University personnel who participated in each training session.

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 the 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 and obligations of this Agreement. Upon the University's satisfaction of the commitments made under this Agreement, OCR will close this complaint.

The University understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the University written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

By: _____/S/_____ Date: April 27, 2020
Harold L. Martin, Sr.
Chancellor (or Designee)
North Carolina Agriculture and Technical State University