

**Resolution Agreement
Union Institute and University
OCR Docket #15-13-2179**

Union Institute and University (the University) submits the following agreement to the U.S. Department of Education, Office for Civil Rights (OCR), to ensure the University's compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104. Accordingly, the University agrees to take the following actions to resolve the above-referenced complaint:

Revisions to the University's Section 504 Grievance Procedure

1. By March 31, 2014, the University will revise its grievance procedure to ensure that it provides, at a minimum:
 - a. clarification that the Section 504 grievance procedure applies to all individuals, including students and employees, regardless of whether the individual has requested accommodations through the University's Accessibility Office;
 - b. notice to students and employees of the procedure, including where complaints may be filed and how they may be filed (in writing, e.g.);
 - c. clarification that complaints of disability discrimination, including disability harassment, carried out by employees, other students, or third parties may be filed under the University's Section 504 grievance procedure;
 - d. clarification that any informal complaint process is voluntary and is not a mandatory prerequisite to filing a formal grievance (complainant must be notified of the right to end the informal process at any time and begin the formal stage of the complaint process);
 - e. notice of the complete title, address, telephone number, and e-mail address of the University employee(s) with whom complaints should be filed and an alternate person if the person with whom the complaint is filed is alleged to have been involved in the discrimination/harassment;
 - f. adequate, reliable, and impartial investigation of complaints, including the opportunity to present witnesses and other evidence;
 - g. designated and reasonably prompt timeframes for the major stages of the complaint process, including time frames for: (1) when the University will conduct a full investigation of the complaint; (2) when the parties receive a response regarding the outcome of the complaint; and (3) when the parties may file an appeal, if applicable;

- h. involvement of the University's Section 504 Coordinator in the University's investigation of Section 504 grievances, to ensure the University's adherence to the requirements of Section 504 and its implementing regulation;
- i. assurance that, in cases of disability harassment, the University will take steps to prevent recurrence of any harassment and to correct discriminatory effects on the complainant and others, if appropriate;
- j. written notice to the parties of the outcome of the complaint;
- k. notice that retaliation against individuals who file disability discrimination complaints or participate in the grievance process is prohibited.

REPORTING REQUIREMENT: By March 31, 2014, the University will provide a draft of its revised Section 504 grievance procedure in accordance with Paragraph 1 of the Agreement for OCR's review and approval.

- 2. Within 60 calendar days of receiving written notice from OCR that the University's revised Section 504 grievance procedure complies with the requirements of Section 504, the University will adopt the revised Section 504 grievance procedure.
- 3. Within 60 calendar days of receiving written notice from OCR that the University's revised Section 504 grievance procedure complies with the requirements of Section 504, the University will provide notice to all students and faculty of the revised procedures and how to obtain a hard copy. The University will also publish the revised procedures to students and faculty on its website and in writing through any additional appropriate outlet, such as student and faculty handbooks, by insert, until the next date of publication or by reprinting per the University's printing schedule.

REPORTING REQUIREMENT: Within 60 calendar days of receiving written notice from OCR that the University's revised Section 504 grievance procedure complies with the requirements of Section 504, the University will provide documentation to OCR demonstrating its implementation of Paragraphs 2 and 3 above, including, but not limited to the notice of the revised Section 504 grievance procedure that it distributed to students and faculty, a link to the revised Section 504 grievance procedure on the University's web site, and any revised handbooks or handbook inserts.

- 4. Within 90 calendar days of receiving written notice from OCR that the University's revised Section 504 grievance procedure complies with the requirements of Section 504, the University will provide training to its Section 504 Coordinator, all University administrators, and any staff who will be involved in responding to reports of disability discrimination regarding the University's obligation to promptly respond to Section 504 grievances, as well as the University's revised procedures for how such complaints should be reported and how they will be investigated.

REPORTING REQUIREMENT: Within 90 calendar days of receiving written notice from OCR that the University’s revised Section 504 grievance procedure complies with the requirements of Section 504, the University will submit to OCR documentation verifying its implementation of Paragraph 4, above, including, but not limited to the date the training session(s) was held, and any agendas, outlines, handouts, and sign-in sheets from the training(s) provided to faculty and staff.

General Requirements

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 Section 504 and its implementing regulation at 34 C.F.R. § 104.7, 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 Section 504 and its implementing regulation at 34 C.F.R. § 104.7.

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.

_____/s/_____
President or Designee

____12-13-13_____
Date