

**Resolution Agreement  
Davenport University  
OCR Docket # 15-14-2215**

Davenport University (the University) submits the following agreement to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve the above-referenced complaint and to ensure compliance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104. While the University does not admit to a violation of Section 504, it does agree to take the following actions:

**ACTION STEPS**

1. By **February 27, 2015**, the University will send a memorandum to all University Student Access Coordinators and the Assistant Director of Student Conduct and Access clarifying that accommodations for students with disabilities are to be determined on an individual basis and that a xxxxxxx may, under certain circumstances, be an appropriate accommodation for students with disabilities.

**REPORTING REQUIREMENT:** By **March 31, 2015**, the University will provide OCR with a copy of the memorandum sent to the Student Access Coordinators and the Assistant Director of Student Conduct and Access, as well as documentation demonstrating that these individuals received the clarifying memorandum. Such documentation could include copies of e-mail read receipts.

2. By **March 31, 2015**, the University will add a statement to its disability services documents clarifying the University's obligation to analyze the appropriateness of an auxiliary aid or service based on the individual needs of students on a case-by-case basis. At a minimum, revisions must be made to the following University documents:
  - a. "How a Student Requests Accommodations at DU."
  - b. "Student Access Coordinator – FIRST Meeting Starters."
  - c. "Sample Accommodations that May Apply for Students with the Following Disability/ies."
  - d. "Instructions: When Reviewing the PLA (Provisional Letter of Accommodation) and IDA (Instructor's Documentation of Accommodation)."
  - e. "Student Access: Frequently Asked Questions."

**REPORTING REQUIREMENT:** By **March 31, 2015**, the University will submit to OCR for review and approval, copies of the disability services documents revised in accordance with this Action Step 2 of this Agreement.

3. Within 60 calendar days of receipt of the OCR-approved disability services documents, the University will adopt and implement them, and publish them on the University's disability services website.

**REPORTING REQUIREMENT:** Within 60 calendar days after receiving written notification from OCR of the OCR-approved disability services documents, the University will submit documentation demonstrating its adoption and publication of the revised documents, including a link to the University's disability services website.

## **GENERAL REQUIREMENTS**

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, 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 the regulations implementing Section 504 at 34 C.F.R. §§ 104.4, 104.43, and 104.44, which were at issue in this investigation.

The University understands that OCR will not close the monitoring of the Agreement until OCR determines that the recipient has fulfilled the terms of the Agreement and is in compliance with Section 504 and its implementing regulation, at 34 C.F.R. §§ 104.4, 104.43, and 104.44.,

The University understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to ensure 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 College written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

/s/

02/11/15

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Davenport University  
President or authorized designee

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Date