

University of Detroit Mercy
Resolution Agreement
OCR Docket XXXXXXXXX

The University of Detroit Mercy (the University) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), for the purpose of resolving the above-referenced complaint and ensuring 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, which prohibit discrimination on the basis of disability by recipients of federal financial assistance. The University voluntarily submits this Agreement under Section 302 of OCR's *Case Processing Manual* and before the completion of OCR's investigation and any issuance of findings.

The University agrees to take the following actions:

1. By **March 5, 2021**, the University will send the Student a letter by certified postal mail and electronic mail. In the letter, the University will:
 - a. Invite the Student to meet with the University's Disability and Accessibility Support Services office (DASS) to discuss and reconsider the Student's XXXXXXXXXX request for academic adjustments and auxiliary aids and services (academic adjustments). The University will provide the Student with at least 30 days to respond. The reconsideration process will be conducted within 15 days of the Student's acceptance of the University's offer. Any decisions regarding the provision of disability-related academic adjustments will be communicated to the Student in writing. If the University denies the Student's request for academic adjustments, the University will promptly provide the Student with the reason(s) for the denial in writing, the opportunity to provide additional information and documentation in support of the requested academic adjustments, and the opportunity to dispute any denial with University staff above DASS.
 - b. Offer to allow the Student to re-take any of the courses the Student took during XXXXXXXXXXXXXXXX term, beginning XXXXXXXXXXXXXXXX with the academic adjustments determined necessary per Item 1.a above, and at no cost to the Student. Should the Student choose to re-take the courses, the University will change the Student's grades to "Incomplete" and will replace her previous grades on her transcript with whatever new grades she earns. The University will also give the Student the alternative option of auditing any of these courses at no cost, with the necessary academic adjustments.

Reporting Requirement: By **March 5, 2021**, the University will submit to OCR a copy of the letter to the Student and documentation regarding how it was delivered. Within 21 calendar days of the University's receipt of the Student's response regarding these offers, the University will provide OCR with a copy of the Student's response. The University will also provide documentation regarding any meeting held to reconsider the Student's request for academic adjustments, including the date the meeting occurred, the names and titles of those present, any determinations made, the bases for those determinations, any notice provided to the Student

regarding those determinations, and any appeal of those determinations. By **June 15, 2021**, the University will provide OCR with documentation showing that it made the academic adjustments determined necessary available to the Student and that if the Student decided to re-take or audit any of the courses in which she was enrolled XXXXXXXXXXXXXXXX, documentation that the University completed the requirements set forth in Item 1.b above, as applicable.

2. Within 60 days of OCR's approval of training materials, the University will provide training by a qualified individual to its disability services faculty and staff regarding the University's obligations to students with disabilities under Section 504 and the University's procedures. The University will provide this training to, at a minimum, the employees who work in DASS, including the director, assistant director, and any other DASS employees. The training will address, at a minimum, Section 504's prohibition against discrimination against individuals with disabilities, and the requirements of Section 504 and its implementing regulation with respect to postsecondary institutions and the provision of academic adjustments to students with disabilities, pursuant to 34 C.F.R. §§ 104.43-104.44. The training will emphasize that the University may not impose unreasonable documentation requirements on a student seeking disability-related academic adjustments. The training will also emphasize the importance of providing disability-related academic adjustments to students in a timely manner.

Reporting Requirement: By **March 5, 2021**, the University will submit for OCR's review and approval a copy of its proposed training materials for Item #2, and the name and qualifications of the proposed trainer. Within 60 calendar days after OCR's approval of the training materials and proposed trainer, the University will provide OCR with information that it has implemented Item #2. This shall include the date(s) of the training(s), copies of the agenda and any training materials used or distributed during the training, and a copy of the sign-in sheets showing the name and job title of each attendee, including those individuals required to attend per this Agreement.

General Requirements

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 the Agreement. Upon the University's satisfaction of the commitments made under the Agreement, OCR will close the case.

The University understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the Agreement and/or 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.

The Agreement will become effective immediately upon the signature of the University's representative below.

President or Designee

Date