RESOLUTION AGREEMENT

Virginia University of Lynchburg

OCR Case No. 11-12-2006

The Virginia University of Lynchburg (the University) agrees to fully implement this Resolution Agreement (Agreement) to resolve OCR Complaint No. 11-12-2006.

A. SUBSTANTIVE PROVISIONS

1. The University will immediately discontinue its policy and/or practice of, in any way, dissuading students with disabilities from attending, or denying them admission to or enrollment in, the University, based on disability, whether because the student is late in requesting academic adjustments and/or auxiliary aids (AAs) or for any other reasons, and will not adopt such a policy and/or practice in the future. This Provision does not require the University to provide AAs at the beginning of a semester to those students who have failed to provide the University with reasonable notice of their need for identified AAs.

2. The University will immediately discontinue its policy and/or practice of requiring students with attention deficit hyperactivity disorder (ADHD) to take medication for their disabilities and/or have it administered to them from a health care provider, and will not adopt such a policy and/or practice in the future with respect to such students or any students with disabilities. This Provision does not alter the University's right, consistent with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, to take disciplinary action against students with disabilities for misconduct related to their disabilities, including when that misconduct may be the result of their failure or refusal to take medication prescribed for them for their disabilities.

3. The University will immediately pay the Complainant $245.38 for expenses directly incurred as a result of the University's conduct.

4. By February 29, 2012, the University will designate a University Coordinator or Coordinators to ensure compliance with all applicable Federal civil rights laws, and make certain that the Coordinators and additional support employees attend training on: Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 et seq. (Title IX), and its implementing regulation, at 34 C.F.R. Part 106; the Age Discrimination Act of 1975, 42 U.S.C. § 6101 et seq. (the Age Discrimination Act), and its implementing regulation, at 34 C.F.R. Part 110; Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d, and its implementing regulation, at

34 C.F.R. Part 100; and Section 504, and its implementing regulation, at 34 C.F.R. Part 104, including training on the provision of AAs to students with disabilities.

5. The University employees referenced in Provision A4, above, will attend the training referenced in that Provision in 2012 and every second year thereafter, except that newly hired employees will attend such training within their first year of University employment and every second year thereafter.

6. By February 29, 2012, the University will adopt notices of nondiscrimination that:
   a. Contain a general statement that the University does not discriminate on the basis of race, color, national origin, sex, disability, or age (and any additional bases it wishes to include) in *any* of its programs; and
   b. Provide the name and/or title, address and telephone number of the employee or employees responsible for coordinating the University's compliance efforts regarding the laws referenced in provision A4, above.

7. By April 27, 2012, the University will publish the notices of nondiscrimination it has adopted pursuant to Provision A6, above, in all appropriate publications and on all appropriate webpages, including hard copy and website versions of University handbooks, catalogs, and recruitment and application materials, the University's home webpage, and all other publications and webpages in which notices of nondiscrimination are normally included.

8. By March 30, 2012, the University will submit for OCR approval grievance procedures that incorporate appropriate due process standards and provide for the prompt and equitable resolution of complaints alleging any action prohibited by the laws cited in Provision 4, above, more specifically:
   a. Adequate notice of the procedures, including with whom grievances should be filed;
   b. The adequate, reliable, and impartial investigation of grievances, including the opportunity to present and cross-examine witnesses and submit and rebut evidence;
   c. Designated and reasonably prompt timeframes for the major stages of the grievance process;
   d. Notice to the parties of the outcome of the grievance process;
   e. An opportunity to appeal the findings, remedy, or both; and
   f. The prohibition of retaliation against any individual who files a grievance or participates in a grievance process.

   The University may adopt separate grievance procedures for different types of grievances, e.g., for grievances in which sexual harassment under Title IX is

alleged versus those in which disability discrimination under Section 504 is alleged.

9. Within one month of its receipt of the OCR approval referenced in Provision 8, above, the University will adopt the grievance procedures, as approved by OCR.

10. Within two months of its receipt of the OCR approval referenced in Provision 9, above, the University will publish the approved grievance procedures in all appropriate publications, including University handbooks, catalogs, webpages, and all other publications in which grievance procedures are normally included.

11. The University will maintain such documentation of its efforts regarding the above commitments as is needed to demonstrate that it has fulfilled them.

B. REPORTING PROVISIONS

12. By May 31, 2012, the University will provide OCR with a report on its compliance with Provisions 1 through 7, and include with its report: (a) a description of and related documentation regarding the discontinuation of the policies and/or practices referenced in Provisions 1 and 2; (b) the names of the organizations from which the training referenced in Provision 4 was or will be received, and documentation of the substance of the training taken or to be taken; (c) the names and titles of the University employees who took or will take the training (Provision 5); and (d) a copy of the notice of nondiscrimination referenced in Provision 6 and a copy of the first page of each document in which it has been included and the page on which it appears in each document, and copies of the webpages on and/or webpage addresses for the documents in which the notice appears.

13. By August 31, 2012, the University will provide OCR with a report on its compliance with Provision 10, and include with its report a copy of the published grievance procedures, and a copy of the first page of each document in which they have been included and the pages on which they appear in each document, and copies of the webpages on and/or webpage addresses for the documents in which they appear.

By: Ralph Reavis
Ralph Reavis, President
Virginia University of Lynchburg

February 8, 2012
Date