

**Voluntary Resolution Agreement**  
**Chatham University**  
**OCR Case Number 03-15-2307**

In order to resolve the allegations in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d, and its implementing regulation, 34 C.F.R. Part 100, and Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, Chatham University (University) enters into this voluntary agreement with OCR.

This Agreement does not constitute an admission of liability on the part of the University and does not constitute a determination by OCR of any violation of Title VI and Section 504, or their implementing regulations, by the University.

**Anti-Discrimination and Anti-Retaliation Statement**

1. By October 1, 2016, the University will issue a statement to all University students and employees, by letter or email, that will be posted in prominent locations at the University and published on the University's website. It will state that the University does not tolerate acts of discrimination based on race or national origin, including different treatment. The statement will also include that retaliation against individuals who file complaints about discrimination, including discrimination based on race, national origin or disability, or who participate in the investigation of such complaints, is prohibited.

**Reporting Requirement:** By November 1, 2016, the University will provide a copy of its statement under Action Step 1 to OCR. It will describe the dates and methods of its publication and provide copies of its notice as applicable.

**Grievance Procedure**

2. By June 1, 2016, the University will review and revise its grievance procedures that address discrimination on the basis of race, for OCR's review and approval. The University's grievance procedures will provide, at a minimum:
  - notice to students and employees of the procedure, including how and where to file a complaint;
  - application of the procedure to complaints alleging discrimination carried out by employees, other students, or third parties;
  - adequate, reliable, and impartial investigation, including the opportunity to present witnesses and other evidence;
  - designated and reasonably prompt timeframes for the major stages of the informal and formal complaint process;
  - written notice to the parties utilizing either the formal or informal complaint process of the outcome of the complaint; and

- an assurance that the University will take steps to prevent the recurrence of any discrimination and to correct its discriminatory effects on the complainant and others, if appropriate.

**Reporting Requirements:** By July 1, 2016, the University will provide OCR with a draft of its revised grievance procedures identified in Action Step 2 of this Agreement for OCR’s review and approval.

### **Publication**

3. Once approved by OCR, within sixty (60) days the University will publish its grievance procedures identified in Action Step 2 of this Agreement in the University’s 2016-2017 student and employee handbooks and post them on the University’s website.

**Reporting Requirement:** Within thirty (30) days of publication, the University will provide documentation to OCR demonstrating its compliance with Action Step 3 of this Agreement by submitting a copy of the handbooks containing the revised grievance procedures. The University will also provide OCR with the website address for the electronically updated procedures.

### **Individual Remedy**

XXX- paragraph redacted –XXX

XXX- paragraph redacted –XXX

### **Training**

4. By October 1, 2016, the University will provide training to all employees on the subject of race discrimination. An individual knowledgeable about the laws and issues pertaining to race discrimination will provide the training. The training will include a review of the revised University grievance procedures referenced in Action Step #2, above.

**Reporting Requirement:** By November 1, 2016, the University will provide documentation to OCR demonstrating its compliance with Action Step 5 of this Agreement by submitting an outline of the training, a copy of the materials disseminated at the training, the name, title, and credentials of the individual who conducted the training and documentation of the attendees’ names and titles.

### **Access**

6. By May 1, 2016, the University will analyze and identify whether it provides access to the programs located in the basement, first and second floors of Dilworth Hall, in accordance with the applicable program standards, under 34 C.F.R. § 104.21, et seq.

If so, the University will identify the means by which they were made accessible, and the date of any modification or renovation; this may include documentation from Department of Justice Case No. 202-64-62. If any program remains inaccessible, the University will provide OCR with its draft plan for providing access that complies with the appropriate standards. The University will not begin implementation of the plan until OCR has reviewed and approved it. This plan should include sufficient detail, including diagrams and measurements, to show that the proposed renovations will comply with the standards. The plan will include projected completion dates for implementation and will also include an interim plan to provide program access.

**Reporting Requirement:** On June 1, 2016, the University will provide OCR with its analysis regarding whether it provides program access at Dilworth Hall. If any program is inaccessible, by May 1, 2016, it will provide its accessibility plan to OCR for its review and approval. Once approved, it will provide OCR with bimonthly progress reports regarding the implementation of its accessibility plan, including the completion of any renovations or modifications, as applicable. These reports will include a description of the work performed, along with photographs (with dimensions, as applicable) and work orders. The University will continue to provide OCR with progress reports until the plan has been fully implemented and any work to be done under the plan has been completed. The University agrees to complete implementation of this plan no later than December 31, 2016.

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 the regulations implementing Title VI and Section 504 that were at issue in this case, under 34 C.F.R. §§ 100.3(a), (b), 100.7(e), 104.21 and 104.61.

The University also understands that OCR will not close the monitoring of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with the regulations implementing Title VI and Section 504 that were at issue in this case.

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 sixty (60) calendar days to cure the alleged breach.

/s/ \_\_\_\_\_  
President and/or Designee

\_\_\_\_\_ 4/6/16 \_\_\_\_\_  
Date

Chatham University