

**Resolution Agreement**  
**University of Minnesota – Twin Cities**  
**OCR Docket Number 05-13-2476**

The University of Minnesota-Twin Cities (University) submits this agreement in order to resolve OCR case number 05-13-2476 and to ensure its compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12132, and its implementing regulation, 28 C.F.R. Part 35. OCR has not made a determination regarding the merits of the complaint allegation. This Resolution Agreement has been entered into voluntarily by the University of Minnesota-Twin Cities (University) and does not constitute an admission that the University is not in compliance with those statutes and regulations. Accordingly, the University voluntarily agrees to take the following actions:

The University agrees to take the following actions:

1. By March 31, 2014, the University will submit to OCR a draft procedure providing the following: (1) an explanation that the University will work together with students to identify reasonable academic adjustments and accommodations that provide equitable opportunity to participate in the University's educational program; (2) a commitment that its Disability Services (DS) will promptly respond to verbal or written notification from students who are not receiving DS-approved academic adjustments, taking into consideration relevant circumstances, including the complexity of the accommodations and the schedule for the course, program or activity in which the student is participating; (3) a commitment that approved academic adjustments will be provided prospectively in courses, programs or activities where approved; and (4) continued maintenance by the University of complaint and grievance procedures that provide remedies for students who are denied reasonable academic adjustments and accommodations.

**REPORTING REQUIREMENT:** By March 31, 2014, the University will provide OCR with documents demonstrating its compliance with item 1 of the Agreement.

2. Within 45 days of receiving OCR's written approval of the draft procedure described in item 1, the University will adopt the procedure and provide notice on DS's website of the new procedure.

**REPORTING REQUIREMENT:** The University will provide documents to OCR of its compliance with item 2 within 60 days of receiving OCR's written approval of the draft procedure.

3. By August 15, 2014, and annually thereafter for new staff, the University will provide training to all staff in its DS who are directly involved in administering or applying the University's disability accommodations policy for students. At a minimum, the training will include discussion of the interactive process, which includes the process for evaluating requests for academic adjustments and modifications, and the above-

referenced procedure for responding to verbal or written notification from students who claim they are not receiving DS-approved academic adjustments.

**REPORTING REQUIREMENT:** By August 30, 2014, the University will submit a report to OCR, with supporting documentation, demonstrating that the training described in item 3 has been provided. The report will include a copy of all materials used during the training and a list of all DS personnel who did and did not attend the training.

4. By March 1, 2014, the DS Director will send a letter to the Complainant inviting her to consider returning to the University from her leave-of-absence, and pledge that, should she return to the University, DS will engage in an interactive process with the Complainant to provide her reasonable academic adjustments and accommodations.

**REPORTING REQUIREMENT:** By March 15, 2014, the University will provide a report to OCR with supporting documentation demonstrating its compliance with item 4. Specifically, the University's report will include a copy of the letter referenced in item 4.

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, 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 Title II implementing regulation at 28 C.F.R. § 35.130(a), and 28 C.F.R. § 35.130(b)(7), and the Section 504 implementing regulation at 34 C.F.R. § 104.4(a), and 34 C.F.R. § 104.44(a), which were at issue in this case.

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 the Title II implementing regulation at 28 C.F.R. § 35.130(a), and 28 C.F.R. § 35.130(b)(7), and the Section 504 implementing regulation at 34 C.F.R. § 104.4(a), and 34 C.F.R. § 104.44(a), which 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 or judicial proceedings to enforce the specific terms and obligations of 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.

Approved and agreed to on behalf of the University of Minnesota-Twin Cities.

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Karen Hanson  
Senior Vice President and Provost  
University of Minnesota-Twin Cities

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Date