

RESOLUTION AGREEMENT

University of Central Oklahoma
OCR Docket # 07152232

The University of Central Oklahoma (University), Edmond, Oklahoma, submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve the above-referenced discrimination complaint against the University and to ensure compliance with Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 United States Code (U.S.C.) § 794, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131, and the implementing regulations of these federal laws.

The University is resolving this complaint before the completion of OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*.¹ Therefore, OCR has not made any findings of fact or law, or issued a final determination with respect to this complaint. The University agrees to take the following actions, but nothing contained in this Agreement shall be construed to constitute an admission on the part of the University to any allegation in this complaint:

I. GENERAL PROVISIONS

- 1) This Agreement shall become effective upon the University's receipt of a letter from OCR advising the University that this Agreement resolves the allegation made in OCR Docket No. 07151016.
- 2) OCR agrees to discontinue its investigation of OCR Docket No. 07152232 based upon the University's commitment to take the actions specified in this Agreement which, when fully implemented, will resolve the allegation in this case and any other issues identified by OCR during the course of its investigation.
- 3) 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 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 and Title II.
- 4) 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 regulations implementing Section 504 and Title II, which were at issue in this case.

¹ OCR's *Case Processing Manual* may be accessed at <http://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.html>.

- 5) 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.

II. RESOLUTION PROVISIONS

1. **Within two weeks after the date of this Agreement** the University will meet with the Complainant and create a written plan so that the Complainant shall have the opportunity to meet all academic requirements of the Complainant's current program of study in the University without taking further classes from the Professor who taught the class the Complainant began in June 2015.

REPORTING REQUIREMENTS FOR ITEM 1 ABOVE:

Within 30 days of the meeting to create the plan, the University will provide to OCR for review and approval a copy of the written plan.

2. **By February 1, 2016**, the University will provide training to all faculty regarding providing accommodations to students with disabilities. At a minimum, the training will address the following:
 - i. Section 504's and Title II's prohibition against discrimination on the basis of disability;
 - ii. the University's obligation to modify its academic requirements as necessary to ensure that the requirements do not discriminate, or have the effect of discriminating against, a qualified individual with a disability on the basis of disability;
 - iii. that University personnel may not deny an accommodation, academic adjustment, or auxiliary aid based on a generalized assumption that the accommodation, adjustment, or aid fundamentally alters essential program requirements;
 - iv. that the University will make provision for enlarging classroom materials for visually impaired students; and
 - v. the University's Disability Support Services Office is always available to provide guidance and assistance to faculty in providing students with accommodations.

