

RESOLUTION AGREEMENT
Shaw University
OCR Complaint No. 11-15-2032

The University agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-15-2032.

Changes to policies and procedures

1. By December 31, 2015, the University will revise its notice of nondiscrimination to include a statement that the University does not discriminate on the basis of disability in the administration of its educational policies and admissions, financial aid, instruction, employment, athletics, and other college-administered programs. The University will also include in its notice of nondiscrimination the contact information for the Section 504 Coordinator. The University will widely publish its notice of nondiscrimination by including it in a variety of publications and locations on its website, including in admissions materials and on the admissions office web page, as well as other locations such as the student handbook, course registration materials, pamphlets, and other electronic and printed publications that provide information to employees and students about University services and policies.
2. By June 3, 2015, the University will eliminate the “Self-Identification form for Students with Disabilities” as part of its application for admission. It will revise its internal admissions policies/practices to make clear that it will not ask any questions about an applicant’s disability status.
3. By June 3, 2015 the University will revise its internal admissions policies/practices to make clear that, if, for whatever reason, the University becomes aware that an applicant has a disability, the University will not in any way consider the Student’s disability during the admissions process or base its admissions decision on whether or not it believes it has the resources to provide academic adjustments to that student.
4. By July 30, 2015, the University will revise its current procedures to provide for the prompt and equitable resolution of complaints alleging any action prohibited by Section 504 and/or Title II and the revisions will include, at a minimum:
 - a. A notice that the procedure applies to complaints of disability discrimination, including failures to grant requests for academic adjustments and failures to provide academic adjustments
 - b. Provision for the adequate, reliable, and impartial investigation of complaints, including the opportunity to present witnesses and other evidence, and the requirement that the investigation (including witness statements, interviews, documentary evidence, and analysis of the evidence in support of the conclusion) will be documented and maintained in a central dataset or location with other disability-related complaints
 - c. Designated and reasonably prompt timeframes for the major stages of the complaint process
 - d. Written notice to the parties of the outcome of the complaint; and

- e. A statement that Section 504 prohibits retaliation against individuals who file complaints under these laws or participate in a complaint investigation.
5. By June 30, 2015 the University will revise the “Complaint Process Form” contained within its Disability Service Handbook to state that the complaint process can be invoked if a student’s requested academic adjustments have been denied, not just “are not being met.”
6. By July 31, 2015, the University will revise its policies/procedures related to the provision of modifications and adjustments for students with disabilities to ensure that if, after admission, a student requests an academic adjustment plan from the University, the University will work with the student through an interactive process to create that plan. If the University believes that fulfilling the student’s disability-based request would constitute an undue financial burden, the University will engage in an interactive process with the Student to derive a mutually agreeable set of academic adjustments. Under no circumstances will the University rescind a student’s admission because of the disability-related needs of that student.

Reporting Provisions

1. By July 31, 2015 the University will provide for OCR’s review and approval:
(a) a narrative report on its compliance with Sections 1-6 of this Agreement;
(b) copies of all of its revised admissions policies, forms, other materials and procedures; (c) copies of all of its nondiscrimination notices and the names of the publications and website locations where each notice appears; (d) a copy of its revised Section 504 grievance procedure.
2. By August 30, 2016, the University will provide OCR with copies of the complete files for all applicants who applied for admission to Shaw for the 2016-2017 school year and were denied admission.
3. By August 30, 2017, the University will provide OCR with copies of the complete files for all applicants who applied for admission to Shaw for the 2017-2018 school year and were denied admission.

Training

By November 30, 2015 the University will ensure that the following individuals are appropriately trained in the requirements of Section 504, and the changes to the University’s policies and procedures required by this resolution agreement: 1) The Section 504 coordinator; 2) All staff, including administrative staff, involved in the admissions process; 3) All staff, including administrative staff, of the disability services office.

Reporting Provisions

1. By September 30, 2015, the University will provide for OCR’s review and approval its proposed training materials, schedule, and the name and qualifications of the individual who is performing the training.

2. By December 31, 2015, the University will provide documentation to OCR demonstrating that training was provided and will include, at a minimum, the name(s) and credentials of the trainer(s); the date(s) and time(s) of the training(s); sign-in sheets, including titles; and copies of any training materials distributed.

Remediation for applicants and students with disabilities

By July 31, 2015 the University will review all instances in which it was aware that an applicant had a disability and that applicant was denied admission after the University became aware of the applicant's disability. This review will cover all years in which the University still has access to applications or is aware that an applicant had a disability. For each such applicant, the University will reconsider the application and decide whether the applicant meets the University's admissions criteria and, if so, will offer the applicant the opportunity to enroll in the University.

By July 31, 2015 the University will identify all instances in which it rescinded an offer of admission for a student with a disability. This review will cover all years in which the University still has access to such information. For each such instance, the University will offer that student the opportunity to enroll/re-enroll in the University.

By July 31, 2015, the University shall review all accommodation plans for all currently enrolled students to ensure that the University is not imposing on any student with a disability any educational requirements that are not imposed on students without a disability.

Reporting Provisions

1. By August 31, 2015, the University will provide for OCR's review and approval documentation of the University's review of these applicants and students. This documentation will include (a) the names of the applicants whose applications it reviewed; (b) a narrative, for each applicant, that explains its determination about whether admissions is appropriate for that applicant; (c) if applicable, whether it offered the applicant admission; (d) if applicable, the names of the students whose admissions it rescinded.
2. If applicable, by August 31, 2015, the University will provide to OCR documentation that it offered admission or readmission to all applicants identified through compliance with this Resolution Agreement.
3. By August 31, 2015, the University will provide OCR with documentation demonstrating that it has reviewed the accommodation plans of all currently enrolled students to ensure that it is not imposing additional educational requirements that are not imposed on students generally. The documentation shall illustrate any changes made to accommodations plans.

Remediation for the Student

By June 30, 2015, the University will send the student a letter that offers him the opportunity to reenroll in the University at any point in the future.

Within fourteen days of the University’s receipt of the Student’s receipts, the University will reimburse the Student or his family for all expenses incurred in preparation for the Student’s anticipated enrollment in the University, including the cost of traveling to and staying at the University for orientation in the summer of 2014.

Reporting provisions:

By June 30, 2015, the University will provide to OCR documentation that it offered admission to the Student.

Within fourteen days of the University’s reimbursement of the Student, the University will provide OCR with documentation that is has reimbursed the Student or his family for all expenses listed above.

By: _____/S/_____
Dr. Gaddis J. Faulcon
President
Shaw University

_____6/3/2015_____
Date