

**Resolution Agreement
Wright State University
OCR Docket Nos. 15-12-2118 and 15-13-2011**

Wright State University (the University) submits the following agreement to the U.S. Department of Education, Office for Civil Rights (OCR), to resolve the above-referenced complaints and to ensure compliance with Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. § 12131 *et seq.*, and its implementing regulation at 28 C.F.R. Part 35; accordingly, the University agrees to take the following actions:

I. Individual Remedies – OCR Docket No. 15-12-2118

- A. By December 31, 2013, the University will provide the student at issue in OCR Docket No. 15-12-2118 (Student A) with a complete, written list of the University approved academic adjustments and auxiliary aids and services (academic adjustments) for Student A, written notice of any requests for academic adjustments for Student A that have been denied and why, and written notice of the process to follow to request additional academic adjustments, should she reenroll at the University.
- B. Within 15 calendar days of Student A's reenrollment at the University, and prior to the beginning of each semester that she is enrolled, the University will provide a copy of Student A's University-approved academic-adjustments list to each professor/instructor teaching a course in which Student A is enrolled.

Reporting Requirements: By December 31, 2013, the University will provide OCR with a copy of the items it provided to Student A pursuant to Item I.A., including a copy of the written list of the University approved academic adjustments for Student A, a copy of the written notice of any requests for academic adjustments for Student A that have been denied and why, and written notice of the process to follow to request additional academic adjustments, should she reenroll at the University. Within 15 calendar days after the commencement of each semester, beginning in the Spring Semester 2014 and continuing through the fall of 2014, the University will notify OCR if Student A has or has not reenrolled with the University. If the Student has reenrolled, the notice to OCR shall also include the date of Student A's reenrollment. Should Student A reenroll with the University during any of the above listed semesters, the University will provide OCR, within 15 calendar days of Student A's reenrollment at the University, with a copy of Student A's class schedule and a copy of the notices provided to professors/instructors pursuant to Item I.B. above.

- C. Within 15 calendar days of Student A's reenrollment at the University, the University's Office for Disability Services (ODS) and any other University staff the University deems appropriate will meet with Student A to discuss her use of converted texts and to determine an effective manner in which the University will provide Student A with converted texts, giving primary consideration to Student

A's requests. This discussion will include the opportunity for Student A to explain and/or demonstrate how she is using the converted texts, any issues she is experiencing in her use of the converted texts, and the assistive technology she uses. The University will provide Student A with any training necessary to ensure her ability to access the University-provided converted texts.

Reporting Requirements: Within 30 calendar days of Student A's reenrollment at the University, beginning in the Spring Semester 2014 and continuing through the fall of 2014, the University will provide OCR with a written summary of the meeting, including a list of attendees, issues discussed, determinations made, and the nature of any training provided to or scheduled to be provided to Student A. By the same date, the University will also provide a copy of the summary to Student A.

II. Individual Remedies – OCR Docket No. 15-13-2011

- A. By December 31, 2013, the University will notify the student at issue in OCR Docket No. 15-13-2011 (Student B), in writing, of his opportunity to reenroll in the University's Basic Skin and SCUBA Diving course (scuba course) the next term the University offers the course, should he reenroll at the University. The offer will contain the available dates that the course is scheduled at the University and will encourage Student B to notify ODS of his reenrollment in the course at least three weeks prior to the course's commencement in order to provide the University adequate time to determine and put into place any necessary academic adjustments by the start of the course. The written notice will also state that, should Student B reenroll at the University, the University will not deny or limit Student B's participation in any future University program, service, or activity for reasons related to his disability with the exception of the process detailed below in Item II.B, which explanation will be included in the notice.
- B. If Student B reenrolls at the University and notifies ODS that he is reenrolling in the scuba course, the University will promptly engage in an interactive process with Student B, to include ODS at all stages, to determine what modifications to its academic requirements are necessary to ensure that such requirements do not discriminate or have the effect of discriminating against the Student because of his disability. This process will incorporate the following principles:
- a. The University is not required to provide a requested academic adjustment and/or modification if it would result in a fundamental alteration of the University program. The determination that a requested academic adjustment and/or modification would result in a fundamental alteration of the University's program, however, must be made collaboratively by relevant University officials using reasoned deliberation, including a diligent assessment of available alternatives that would not result in a fundamental alteration and a review of program or course requirements. The decisions and reasons supporting the determination must be well documented.

- b. The University may not deny a requested academic adjustment and/or modification based on funding or administrative concerns, unless the University can demonstrate that providing the adjustment or modification would result in an undue financial or administrative burden, considering the University's resources as a whole (and not just the resources available to the particular course or school). In such a case, the University will still take any other action that would not result in such an undue burden but would nevertheless ensure that, to the maximum extent possible, the student receives the benefits or services provided by the University.
- c. The University is not required to permit an individual to participate in or benefit from a service, program, or activity of the University when the individual poses a direct threat to the health or safety of others. However, in determining whether an individual poses a direct threat to the health or safety of others, the University must make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures or the provision of auxiliary aids or services will mitigate the risk. The decision is not to be based on speculation, stereotypes, or generalizations about individuals with disabilities.
- d. The University is not required to provide a student with a disability with devices or services of a personal nature.

Upon conclusion of that process and before the first day of the semester in which Student B reenrolls in the scuba course, if Student B provides timely notice to ODS, or in a reasonably timely manner if Student B does not provide timely notice to ODS, the University shall inform Student B in writing of its determination as to the academic adjustments it will provide for the scuba course, and of any denial of requested adjustments and/or aids or services and why. The University's written notice to Student B will also inform him of his right to request a review of the determination pursuant to the University's ODS appeal procedures, as amended pursuant to Item III.F.6 of this Agreement.

- C. If academic adjustments are determined to be appropriate and necessary, the University will ensure that they are provided to Student B. If Student B advises the University or it otherwise becomes aware that approved academic adjustments are ineffective or have not been provided, the University will immediately engage in an interactive discussion with Student B to determine what, if any, additional adjustments are necessary and ensure that the agreed-upon adjustments are promptly provided.
- D. If the University determines that, pursuant to Item II.B.3 above, Student B's full participation in the scuba course is a direct threat to the health and safety of others

and, accordingly, decides to exclude Student B from portions of the course, the University will give Student B, in writing, the option to withdraw from the scuba course at no cost to Student B. The University shall communicate this reimbursement option to Student B in writing and in conjunction with its written notice of the determination to exclude.

Reporting Requirements: By December 31, 2013, the University will provide OCR with a copy of the notice it issued to Student B pursuant to Item II.A above. Within 15 calendar days of the University's receipt of Student B's reenrollment decision regarding the scuba course, the University will provide OCR with a copy of the notice and any documentation verifying the University's implementation of Item II.B of the agreement, including the notice provided to Student B of the adjustments and/or modifications it will provide him for the scuba course. By December 31, 2014, the University will provide OCR with documentation of the academic adjustments provided to Student B for his participation in the course or notice that Student B has not reenrolled at the University or the scuba course, as applicable. If the University excludes Student B from full participation in the scuba course, it will provide OCR, within 15 calendar days of that decision, a copy of the written notice provided to Student B and the names and titles of all University employees who participated in the decision.

- E. By December 31, 2013, the University will notify Student B, in writing, of his opportunity to reenroll in the University's xxxxxxxx course (xxxxxxx course) at no charge. The offer will contain the available dates that the course is scheduled at the University and will encourage Student B to notify ODS of his reenrollment in the course. The notice will also include a complete, written list of the academic adjustments for which Student B has been approved by the University, written notice of any requests for academic adjustments that have been denied, and written notice of how he can request additional academic adjustments if he reenrolls at the University.

- F. If Student B reenrolls at the University and notifies ODS of his reenrollment in the xxxxxxxxxx course, the University will provide Student B with all of his relevant academic adjustments already approved by ODS, including the use of a formula sheet for exams. No faculty member will be permitted to unilaterally deny any adjustment to Student B. Should a faculty member assert that any of Student B's approved adjustments would fundamentally alter the xxxxxxxxxx course, the University will employ a deliberative process to make the determination in accordance with the principles set forth above at II.B.a. The University will inform Student B of its determination as to the academic adjustments it will provide for the xxxxxxxxxx course and of any denial of any adjustments and why, as well as any alternative academic adjustments that do not fundamentally alter the course that the University will provide in order to ensure Student B's access to the course. The University will document these decisions and its interactive discussion with Student B about these decisions in writing and will provide a copy of the documentation to Student B. The written notice to Student B will also inform him of his right to request a review of the decisions

pursuant to the University's ODS appeal procedures, as amended pursuant to Item III.F.f of this Agreement.

- G. If Student B advises the University or it otherwise becomes aware that approved academic adjustments for the xxxxxxxxxx course are ineffective or have not been provided, the University shall immediately engage in an interactive discussion with Student B to determine what, if any, additional adjustments are necessary and ensure that the agreed-upon adjustments are promptly provided.

Reporting Requirements: By December 31, 2013, the University will provide OCR with a copy of the notice it issued to Student B pursuant to Item II.E above. Within 15 calendar days of the University's receipt of Student B's reenrollment decision regarding the xxxxxxxxxx course, the University will provide OCR with a copy of the notice and any documentation verifying the University's implementation of Item II.F of the agreement, including the notice provided to Student B. By December 31, 2014, the University will provide OCR with documentation of the adjustments, aids, and services provided to Student B for his participation in the course or notice that the Student has not reenrolled at the University and in the xxxxxxxxxx course, as applicable.

III. University-wide Remedies

- A. By December 31, 2013, the University will reimburse applicable present and past University students with disabilities for all of the administrative and late fees paid to the University for Technology Center services associated with academic adjustments that were approved by ODS. Reimbursed fees shall include those charged during the fall 2012 semester, the spring 2013 semester, the summer 2013 semester, and, as applicable, the fall 2013 semester.

Reporting Requirement: By December 31, 2013, the University will provide OCR with documentation demonstrating that it has fully refunded the applicable students pursuant to Item III.A, including: (1) a list of all students who were charged Technology Center fees for the applicable semesters and the total amount of fees charged to each student; (2) copies of the documents relied upon by the University in ascertaining the total amount due each student; and (3) verification that the University fully reimbursed each student for the fees.

- B. Beginning with its Spring Semester 2013, the University will no longer charge students with disabilities administrative or late fees for Technology Center services that are academic adjustments approved by ODS. The University will also, by December 31, 2013, revise its policies, procedures, guidelines, webpage, and all other related materials to remove all reference to late and administrative fees for approved academic adjustments and to clarify that students are encouraged, but not required to, submit their schedules to the Technology Center in advance of each semester.

Reporting Requirements: By December 31, 2013, the University will provide OCR with an affidavit from a representative of the University's Bursar's Office wherein the representative swears or affirms that the University is no longer charging students with disabilities administrative or late fees for Technology Center services approved by ODS. By December 31, 2013, the University will also provide OCR with copies of applicable pages from any revised documents that demonstrate that all references to late and administrative fees for academic adjustments for students with disabilities have been removed and clarification has been added that students are encouraged, but not required, to submit their schedules in advance of each semester.

- C. Beginning with its Spring Semester 2014, the University will provide complete text conversions to students who are approved for converted texts by ODS. A complete text conversion shall include all text contained on each applicable page, including, but not limited to, the page's main passage, picture captions, and footnotes. The applicable pages shall be determined by consulting the course syllabus for that particular semester. Unless agreed upon in writing with the student, a textbook's complete text conversion will also include cover pages, tables of contents, indexes, appendices, glossaries, bibliographies, and any other guiding material. Unless agreed upon in writing with the student, the University will provide complete text conversions for both "required" and "recommended" course readings, whether they are textbook sections, articles, or any other writing.

Converted texts shall be made available to the applicable students in a timely manner, which shall be, at a minimum, at least one week prior to the date on which the student is to have read the particular text for a course. Guiding materials for textbooks are to be made available to the applicable student at the same time as the first reading assignment is made available for that book.

For each semester, the University will encourage students to submit their class schedules to the University as soon as practicable and to keep a designated person at ODS apprised of any schedule changes or potential scheduling issues. The Technology Center will also coordinate with the University's office that handles class scheduling to receive class schedules for those students receiving text conversions so that ODS has enough time to evaluate the submissions and make timely conversions of the texts for those students. The University will also require all faculty to submit to their respective College and the College will submit to the Technology Center the following:

1. their course syllabi or whatever document lists course reading assignments throughout the semester;
2. a list of textbooks containing required or recommended readings for the course;
3. copies of any additional required and recommended readings; and
4. any other materials that would assist the Technology Center in the timely text conversion process.

These faculty submissions shall be made allowing sufficient lead time for ODS to evaluate the submissions and make timely conversions of the applicable texts.

Reporting Requirements: By December 31, 2013, the University will provide OCR with an affidavit from a representative of ODS' Technology Center in which the representative swears or affirms that the University: 1) is providing text conversions to students at least one week prior to the materials being assigned to be read; 2) is encouraging students to submit their class schedules to ODS as soon as practicable; 3) has selected a person for students to contact regarding scheduling changes or concerns; 4) has its Technology Center coordinate with its office that handles class scheduling to allow for timely text conversions; and 5) has its faculty submitting course syllabi, assigned textbook lists, required and recommended reading lists, and any other materials that would assist the Technology Center in the timely text conversion process in enough time for ODS to evaluate the submissions and make timely conversions of the applicable texts. By February 28, 2014, the University will submit to OCR Technology Center conversion logs demonstrating that students with disabilities are receiving complete converted materials in a timely manner as required by this agreement.

D. The University confirms that it is taking steps to improve the accessibility for students with disabilities of its remedial math courses that use ALEKS[®] computer software. "Accessibility" means affording a person with a disability the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as a person without a disability in an equally effective and equally integrated manner, with substantially equivalent ease of use. The person with a disability must be able to obtain the information as fully, equally and independently as a person without a disability. Although this might not result in identical ease of use compared to that of persons without disabilities, it still must ensure equal opportunity to the educational benefits and opportunities afforded by the technology and equal treatment in the use of such technology. In doing so, the University is conducting a pilot program for the fall 2013 semester using different software. Following the pilot program, the University will choose one of the following three options for its remedial math courses:

1. work to develop and implement software for the computer-based courses that is compatible with assistive technology, including screen readers;
2. implement a different software for xxxxxxxx and any other courses that were using ALEKS[®]; and/or
3. cease offering the computer-based xxxxxxxx and any other computer-based remedial math courses until the software can be made accessible for students with vision and other disabilities requiring the use of assistive technology.

Reporting Requirements: By March 31, 2014, the University will provide OCR a report of the results of the pilot program and will notify OCR in writing of which of the above listed alternatives it has selected to improve the accessibility of its computer-based remedial math courses. Then, beginning March 31, 2014, and continuing in three-month

increments thereafter (e.g., January 1, April 1, July 1, October 1, etc.) through January 1, 2015, the University will provide OCR with written status updates of its progress in effectuating the improved accessibility. Regardless of the option selected, the University will provide accessible courses by December 31, 2014.

- E. Beginning with execution of this agreement, the University will evaluate and consider the potential effect on students with disabilities prior to implementing new and emerging technologies (e.g., course software, distance learning, etc.) in its academic programs. The University will ensure that content is provided in an equally effective manner to all students, including those with visual and other print-related disabilities, particularly those students requiring assistive technology. Students with disabilities must have the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as other students. The University must ensure that students with disabilities can access the information with substantially equivalent ease of use as students without disabilities. In doing so, the University must ensure equal opportunity to the educational benefits and opportunities afforded by technology and equal treatment in the use of such technology. University staff and administrators will be notified of ODS' availability to consult in matters involving potential accessibility issues.

The University will require each college to submit documentation regarding any proposals to change academic programs and the steps taken to ensure accessibility for students with disabilities. If a college discovers ongoing accessibility issues in its technology-based programs, the annual documentation will also document these issues and steps taken to ensure accessibility. The University will designate one person to receive, review, and monitor the annual reports.

Reporting Requirements: By December 31, 2013, the University will submit to OCR a draft directive to its college deans and other appropriate staff and administrators to implement Item I.E above. On October 1, 2014, and October 1, 2015, the University will submit to OCR a summary of the prior year's annual reports.

- F. By March 31, 2014, the University will draft and submit to OCR new policies and procedures for its Student Handbook regarding the provision of academic adjustments and auxiliary aids and services for students with disabilities. The University will also submit revised versions of any other policies and procedures and other documents needing revision to ensure consistency with the new Student Handbook policies and procedures (e.g., a revised Equal Educational and Employment Opportunity Policies and Affirmative Action Plan; Policy Number 4001 deleting reference to the provision of disability services to students). The Student Handbook policies and procedures will be consistent with the regulations implementing Section 504 and Title II, and will include, at a minimum:
- a. A requirement that, should disability documentation submitted by a student be determined by ODS to be inadequate, ODS will notify the

student in a timely manner why it believes the documentation is inadequate and what additional documentation is needed to support the existence of a disability and/or the need for the requested services.

- b. Encouragement for an interactive process between ODS and the student with a disability, in consultation with appropriate faculty and other program personnel, as necessary, to determine all necessary and appropriate academic adjustments based on the student's individual disability-related needs and the nature of the program(s) in which a student is enrolled. Upon notification from a student that the agreed-upon services are not effective, ODS staff will work with that student to resolve the problem within a reasonable time period and through an interactive process.
- c. A statement that no individual has the authority to unilaterally limit or deny a student an academic adjustment by ODS personnel, and a process for ODS to communicate with University personnel the academic adjustments a student is to receive and that makes clear that the academic adjustments to be provided are not at the discretion of any one person.
- d. A process for determining if academic requirements are "essential" or whether a requested modification would fundamentally alter a course, academic program, or University-sponsored performance-based experience to ensure that such determinations are made by a group of people, including ODS and pertinent faculty or other relevant personnel, after a careful, thoughtful deliberation that includes a review of program/course requirements and available options and alternatives, and that the decisions and the reasons supporting them are fully documented by the group.
- e. A statement that the University may refuse a request for auxiliary aids and services and/or academic adjustments that impose a fundamental alteration of a University program or activity only after it has engaged in the deliberative process described in paragraph 4 above, including consideration of whether there are any alternative modifications available that would not fundamentally alter the program.
- f. Timely notification to the student in writing of all specific academic adjustments that have been agreed to and of any denial of requested adjustments and the reason(s) for the denial informing them of the appeal procedure that can be used to challenge the denial of requests. This process will include the full documentation by ODS in the student's case file of the date of the request, the nature of the request, and any supporting documentation, the reason(s) for the denial, and any interactive process between the University and the student. Students may also file an internal complaint about their adjustments or services through the University's

general Section 504/Title II grievance procedures developed pursuant to Item III.G below. This process will also be available to address any complaints of disability discrimination under Section 504 and Title II.

- g. A statement identifying the University's Section 504/Title II coordinator and contact information for that person.
- G. By March 31, 2014, the University will either revise the "Affirmative Action Complaint Procedure" located at section 4001.18 of the University's Student Handbook or draft a replacement grievance procedure that incorporates appropriate due process standards and that provides for the prompt and equitable resolution of complaints alleging any action prohibited under Section 504 and Title II. The revised/replacement grievance procedure will include, at a minimum:
1. Notice to students and employees of the procedure, including specifically where complaints may be filed.
 2. Application of the procedure to complaints alleging discrimination carried out by employees, other students, or third parties.
 3. Adequate, reliable, and impartial investigation of complaints, including the opportunity to identify witnesses and other evidence.
 4. Designated and reasonably prompt timeframes for the major stages of the complaint process.
 5. Notice to the parties of the outcome of the complaint.
 6. An assurance that the University will take steps to prevent recurrence of any disability discrimination found to have occurred, and to correct any discriminatory effects on the grievant and others, if appropriate.
 7. Clarification that a grievant's participation in any informal resolution process is voluntary and that the grievant may elect to pursue the formal process at any time.
 8. Clarification that there will be situations in which it would never be appropriate to have the parties confront one another in the resolution process (e.g., an alleged student harassment victim and employee harasser).
 9. Clarification that the grievant is not required to prosecute the discrimination claim, but rather the University will provide the adequate, reliable, impartial investigation process indicated in subparagraph III.G.3 above.

- H. Within 90 calendar days after receipt of the OCR-approved new Student Handbook policies and procedures and the grievance procedure pursuant to Items III.F and III.G above, the University will adopt and implement the new Student Handbook policies and procedures and grievance procedure and will review all of its existing policies and procedures that address Section 504 and/or Title II to ensure they are consistent with the new Student Handbook policies and procedures and the grievance procedure and to take steps to eliminate confusion for students and employees. The University will also provide notice to all students, faculty, and staff of the new Student Handbook policies and procedures and the grievance procedure, provide them to students as an insert for the existing Student Handbook and explain how other individuals may obtain a hard copy; publish the new Student Handbook policies and procedures and the grievance procedure on its website and in all applicable electronic documents; publish the new Student Handbook policies and procedures and the grievance procedure in future printings of the Student Handbook and the new grievance procedure in future printings of any employee handbooks; and implement a method of training faculty and relevant staff in the University's procedures for providing academic adjustments to students with disabilities and addressing disability discrimination grievances as revised in accordance with Items III.F and III.G above. The person providing the training must be a competent authority on Section 504 and Title II. Training may be accomplished through already established faculty and/or staff meetings or by an alternative means determined by the University that will provide effective access to the information to be disseminated.
- I. By December 31, 2013, the University will notify participants, beneficiaries, and employees that it does not discriminate on the basis of disability. The notice will identify the name and/or title, office address, and telephone number of the employee designated to coordinate the University's compliance with Section 504 and Title II. The notice will be posted on the University's website, sent electronically to all students, faculty, and staff, and published in the University's student and employee handbook.
- J. By December 31, 2013, the University will provide written notice to its faculty, staff, and administrators that student requests for disability accommodations are to be initiated, by the student, at ODS. The notice will also state that any other person or entity that receives a request for a disability accommodation shall refer the requesting student to the ODS. The University will notify its College of Education and Human Services that it is to immediately cease its separate process for determining accommodations for its Basic Instructional Physical Education courses, including removing notice of the separate process from its website and course syllabi.

Reporting Requirements: By March 31, 2014, the University will provide OCR with the proposed draft Student Handbook policies and procedures, any other documents revised for consistency, and the proposed draft Section 504/Title II grievance procedure pursuant to Items III.F and III.G above; a copy or website address of each type of non-discrimination notice published in accordance with Item III.I above; and a copy of the

notices issued pursuant to Item III.J above and a list of the names and titles of the persons to whom the notices were issued. Within 90 calendar days after receiving the OCR-approved Student Handbook policies and procedures and the grievance procedure, the University will, in accordance with Item III.H above, submit to OCR a copy of any resolution adopting the new Student Handbook policies and procedures and the grievance procedure, as well as a certification that it has reviewed all of its existing policies and procedures that address Section 504 and/or Title II to ensure they are consistent with the revised Plan and grievance procedure and has taken steps that eliminate confusion for students, faculty, and staff. Also, in accordance with Item III.H above, the University will provide a copy of the notice sent to students, faculty, and staff; a copy of the revised cross-reference page(s) from each applicable University publication; the link to the revised documents on the University's website; the date(s), time(s), and location(s) when the University's training was held; the name, title, and qualifications of the person providing the training; a copy of the sign-in sheet for attendees that lists that name and title of each attendee; a copy of the training agenda; and a copy of any training materials distributed during the training.

General Requirements

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 Section 504 and its implementing regulation at 34 C.F.R. §§ 104.4, 104.7(b), 104.43, and 104.44, and Title II and its implementing regulation at 28 C.F.R. §§ 35.107(b), 35.130, and 35.160, which were at issue in these cases.

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 Section 504 and its implementing regulation at 34 C.F.R. §§ 104.4, 104.7(b), 104.43, and 104.44, and Title II and its implementing regulation at 28 C.F.R. §§ 35.107(b), 35.130, and 35.160.

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

/s/ Gwen M. Mattison, Esq.
President of University or Authorized Designee
General Counsel

10/20/13
Date