

Resolution No. 23-16***Approval of Voluntary Resolution with
U.S. Department of Education's Office of Civil Rights***

WHEREAS, The Board of Trustees of Governors State University (the "Board" and "University," respectively) was created on January 1, 1996, by Public Act 89-4 to operate, manage, control, and maintain the University in accordance with the rights, powers, and duties vested by law in the Board; and

WHEREAS, The Board is comprised of eight members, seven of whom are appointed by the Governor of Illinois with the advice and consent of the Senate, and one of whom is a University student selected by student peers; and

WHEREAS, Thomas Bierdz, an employee (now on permanent disability leave) and former student, filed a charge with the U.S. Department of Education's Office of Civil Rights ("OCR") alleging a violation of Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Act of 1990 on the grounds that certain electronic communications allegedly were not accessible to persons with disabilities because they contained graphic images or photographs without meaningful alternative text for persons who cannot see the images or photographs (the "Complaint," Docket No. 05-21-2284); and

WHEREAS, The parties are exploring the possibility of voluntarily resolving the Complaint pursuant to the terms of the attached (draft) Voluntary Resolution Agreement or substantially similar terms; and

WHEREAS, The President recommends that the University agree to resolve the Complaint voluntarily pursuant to the terms of the (draft) Voluntary Resolution Agreement attached hereto or substantially similar terms; and

WHEREAS, The Board finds that it is the University's best interest to voluntarily resolve the Complaint given the time, expense, and uncertainty of litigation;


Now, therefore, it is:

Resolved, that the Board authorizes the University to voluntarily resolve the Complaint pursuant to the terms of the attached (draft) Voluntary Resolution Agreement or terms substantially similar thereto.

Resolved, that the Board authorizes the President to sign the resulting Voluntary Resolution Agreement on behalf of the Board.

Resolved, that the Board directs the University to take all reasonable and necessary steps to otherwise effectuate this Resolution.

Approved October 21, 2022


Angela M. Sebastian, Chair
Board of Trustees
James Kvedaras, Secretary
Board of Trustees