

UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

5 POST OFFICE SQUARE, 8TH FLOOR
BOSTON, MASSACHUSETTS 02109-3921



James McCarthy
President
Suffolk University
8 Ashburton Place
Boston, Massachusetts 02108

Re: Complaint No. 01-13-2170
Suffolk University

Dear President McCarthy:

This letter is to inform you that the U.S. Department of Education (Department), Office for Civil Rights (OCR), is closing the above referenced complaint that was filed against Suffolk University (University), in which the Complainant alleged concerns with obtaining disability-related accommodations while she was a student at the University.

OCR opened this complaint pursuant to our jurisdiction under Section 504 of the Rehabilitation Act of 1973, and its implementing regulation found at 34 C.F.R. Part 104 (Section 504), which prohibits discrimination based on disability. The University is subject to Section 504 because it receives Federal financial assistance from the Department.

During the course of the investigation, and before OCR reached a compliance determination with regard to the allegations presented, the University expressed an interest in voluntarily resolving the complaint. As detailed in the enclosed Voluntary Resolution Agreement (Agreement), the University agreed to clarify some of its policies regarding disability-related accommodations, as well as include additional language regarding faculty responsibilities in its letters approving such accommodations. Additionally, the University agreed to provide training for instructors who taught the Student.

While investigating this complaint, the University noted to OCR that it is in the process of revising its policies and procedures with regard to providing accessible alternative text formats; OCR provided technical assistance on this issue. OCR also provided technical assistance regarding grievance procedures, which were not the subject of this complaint.

OCR has determined that the terms of the Agreement address the underlying allegations in this case, and are also consistent with the requirements of Section 504. Accordingly, OCR is closing this investigation as of the date of this letter.

As memorialized in the Agreement, OCR will monitor the University's compliance with the agreed-upon terms. OCR will close the monitoring of this matter, and will so notify the parties in writing, once it determines that the University has satisfied the terms of the Agreement. The University has agreed to provide OCR with monitoring reports demonstrating that it has implemented the provisions of the Agreement.

The information in this letter is not intended, and should not be construed, to cover any other issues regarding compliance with Section 504 that may exist but are not discussed herein. Please also be advised that complainants may have the right to file a private suit in Federal court on these issues, whether or not OCR found a violation.

We wish to thank your staff at the University, particularly Attorneys Katherine Schmeckpeper and Sheila McGarry, for their extraordinary assistance in bringing this investigation to a timely close. If you have any questions regarding this letter, you may contact Civil Rights Attorney Meighan McCrea, by telephone at (617) 289-0052, or via e-mail at: Meighan.McCrea@ed.gov, or Civil Rights Investigator Diana Otto by telephone at (617) 289-0073, or via e-mail at: Diana.Otto@ed.gov. You may also contact me directly at (617) 289-0040.

Sincerely,

____/s/____

Nicole M. Merhill
Acting Compliance Team Leader/
Civil Rights Attorney

cc: Attorney Sheila McGarry

Enclosure