

March 21, 2014

The Reverend John I. Jenkins, C.S.C.
President
University of Notre Dame
400 Main Building
Notre Dame, Indiana 46556

Re: OCR Docket #05-13-2495

Dear Rev. Jenkins:

This is to advise you of the disposition of the above-referenced complaint filed with the U.S. Department of Education (Department), Office for Civil Rights (OCR), against the University of Notre Dame (University) alleging discrimination based on disability.

Specifically, the complaint alleged that the University subjected a student with a visual impairment (Student A) to discrimination based on disability when:

1. beginning in X, the University failed to provide Student A a prompt and equitable grievance procedure for a complaint of disability discrimination; and
2. in X, the University failed to provide Student A with effective auxiliary aids in an introductory X course.

OCR is responsible for enforcing Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. §794, and its implementing regulation at 34 C.F.R. Part 104, which prohibits discrimination on the basis of disability by recipients of Federal financial assistance. As a recipient of Federal financial assistance from the Department, the University is subject to Section 504.

In accordance with Section 302 of OCR's *Case Processing Manual*, a complaint may be resolved at any time when, before the conclusion of an investigation, the recipient expresses an interest in resolving the complaint. Prior to the conclusion of OCR's investigation, the University expressed interest in resolving the complaint.

On March 21, 2014, the University signed the enclosed Resolution Agreement (Agreement) which, when fully implemented, will resolve the issues raised in the complaint. The provisions of the Agreement are aligned with the issues raised by the allegations and the information

obtained during OCR's investigation and are consistent with the applicable regulations. OCR will monitor the University's implementation of the Agreement.

Please be advised that the University may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the complainant may file another complaint alleging such treatment.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

We wish to thank you and your staff, and particularly Ms. Kathleen Brickley and Mr. Brian Guarraci, for the cooperation extended to OCR during the processing of this complaint. If you have any questions, please feel free to contact TiShaunda McPherson at 312-730-1633 or by e-mail at TiShaunda.McPherson@ed.gov.

Sincerely,

Jeffrey Turnbull
Team Leader

Enclosure

cc: Ms. Kathleen Brickley
Mr. Brian Guarraci