



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

400 MARYLAND AVENUE, SW
WASHINGTON, DC 20202-1475

REGION XI
NORTH CAROLINA
SOUTH CAROLINA
VIRGINIA
WASHINGTON, DC

November 27, 2013

Dr. Wayne A. I. Frederick
President
Howard University
Office of the President
2400 Sixth Street NW
Washington, DC 20059

RE: OCR Complaint No. 11-13-2222
Resolution Letter

Dear Dr. Frederick:

This letter is to notify you of the disposition of the complaint that filed with the District of Columbia Office of the Office for Civil Rights (OCR), within the U.S. Department of Education (the Department), on April 17, 2013 against Howard University (the University). In the complaint, the Complainant alleged that the University discriminated against her on the basis of disability when, in December 2012, a professor failed to provide her the required academic adjustment of a quiet distraction free room to take her final exam in an XXXX course.

OCR initiated an investigation of the complaint under its authority to enforce 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 prohibit discrimination on the basis of disability in programs and activities that receive Federal financial assistance from the Department. Because the University receives Federal financial assistance from the Department, we have jurisdiction over it pursuant to Section 504.

During the course of OCR's investigation, the University expressed a willingness to resolve the complaint allegations. Pursuant to Section 302 of OCR's Case Processing Manual, OCR discussed resolution options with the University. On November 25, 2013, the University signed the enclosed agreement which, when fully implemented, will resolve the concerns identified regarding this complaint. The provisions of the agreement are aligned with the issues raised in the complaint and information obtained during the course of OCR's investigation, and are consistent with the applicable regulations. OCR will monitor implementation of the agreement.

Please be advised that the University may not harass, coerce, intimidate, or discriminate against any individual for filing a complaint or participating in the complaint resolution process. If this happens, the individual may file another complaint alleging such treatment. Also, under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, we will seek to

protect, to the extent provided by law, personal information that, if released, could constitute an unwarranted invasion of privacy.

This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public. The Complainant may have the right to file a private suit in Federal court whether or not OCR finds a violation.

We sincerely appreciate the courtesy, cooperation and professionalism extended by the University, particularly Piper Malone, during the resolution of this complaint. If you have any questions, please contact the attorneys assigned to this complaint: Josie Evola at 202-453-5908 or Josie.Evola@ed.gov; or Alessandro Terenzoni at 202-453-5921 or Alessandro.Terenzoni@ed.gov.

Sincerely,

/s/

Dale Rhines
Program Manager and Acting Team Leader
District of Columbia Office
Office for Civil Rights

Enclosure