



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

THE WANAMAKER BUILDING, SUITE 515
100 PENN SQUARE EAST
PHILADELPHIA, PA 19107-3323

REGION III
DELAWARE
KENTUCKY
MARYLAND
PENNSYLVANIA
WEST VIRGINIA

October 7, 2014

IN RESPONSE, PLEASE REFER TO: 03-14-2293

Mr. Paul Fitzgerald, President
Erie Institute of Technology
940 Millercreek Mall
Erie, PA 16565

Dear Mr. Fitzgerald:

This is to notify you of the resolution of the complaint filed with the U.S. Department of Education (Department), Office for Civil Rights (OCR), against Erie Institute of Technology (the Institute). xxxxxxxxxxxx (the Complainant) alleged that the Institute discriminated against xxx by failing to provide xxx with the necessary xxxxxxxxxxxxxxxxxxxx during the XXXX academic year.

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

Under OCR procedures, a complaint may be resolved before the conclusion of an investigation if a recipient asks to resolve the complaint by signing a Voluntary Resolution Agreement. The provisions of the agreement must be aligned with the complaint allegations or the information obtained during the investigation and be consistent with applicable regulations. Such a request does not constitute an admission of liability on the part of a recipient, nor does it constitute a determination by OCR of any violation of our regulations.

Consistent with OCR's procedures, the Institute requested to resolve the complaint through a Voluntary Resolution Agreement (the Agreement), which was executed by the Institute on October 7, 2014. A copy of the signed Agreement is enclosed. As is our standard practice, OCR will monitor the Institute's implementation of the Agreement.

Accordingly, OCR is concluding its investigation of these allegations as of the date of this letter. This letter is not intended nor should it be construed to cover any other issues regarding the Institute's compliance with Section 504, which may exist and are not discussed herein. The Complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

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

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

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privacy. Please be advised that the Institute 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.

Thank you for your cooperation in this matter. If you have any questions, please feel free to contact Irene Town at 215-656-8586, or by email at Irene.Town@ed.gov.

Sincerely,

/s/

Rhasheda S. Douglas
Team Leader

Enclosures