



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS, REGION IV

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ATLANTA, GA 30303-8927

REGION IV
ALABAMA
FLORIDA
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January 18, 2018

Dr. Ronald L. Vaughn
President
University of Tampa
401 W. Kennedy Boulevard, Box A
Tampa, Florida 33606

Re: Complaint #04-14-2499

Dear Dr. Vaughn:

The U.S. Department of Education (Department), Office for Civil Rights (OCR) has completed its investigation of the above-referenced complaint against the University of Tampa (University). Therein, the Complainant alleged that the University discriminated against the Student on the basis of disability by (1) failing to provide the Student with academic adjustments in the fall 2014 semester with respect to the provisions of audio recording and a note taker; (2) failing to provide accessible parking spaces; and (3) requiring the Student to pay a student insurance in order to continue attending the University or access services.

As a recipient of Federal financial assistance from the Department, the University is subject to Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability. Accordingly, OCR has jurisdiction over this complaint. Additional information about the laws OCR enforces is available on our website at www.ed.gov/ocr.

OCR opened the following issues for investigation:

1. Whether the University discriminated against the Student on the basis of disability, by failing to provide the Student academic adjustments in all of her classes for the 2014 fall semester with respect to the provision of audio recording and a note taker, in noncompliance with Section 504 and its implementing regulation at 34 C.F.R. §104.44(a).
2. Whether the University discriminated against the Student with respect to the provision of accessible parking spaces at the buildings where she attended her classes for the fall 2014 semester, in noncompliance with Section 504 and its implementing regulation at 34 C.F.R. §104.21.
3. Whether the University discriminated against the Student by requiring her to pay the student insurance in order to continue attending the University or access services, in

noncompliance with Section 504 and its implementing regulation at 34 C.F.R. §104.43(a).

Legal Standards

Issue 1:

Section 504's implementing regulation at 34 C.F.R. §104.44(a) provides that, in the postsecondary setting, recipients are required to make such modifications to their academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of disability, against a qualified student with a disability. Academic requirements that the recipient can demonstrate are essential to the instruction being pursued, or to any directly related licensing requirement, will not be regarded as discriminatory.

The Section 504 implementing regulation at 34 C.F.R. §104.44(d) provides that recipients shall take such steps as are necessary to ensure that no student with a disability is denied the benefits of, excluded from participation in, or otherwise subjected to discrimination because of the absence of educational auxiliary aids for students with impaired sensory, manual or speaking skills.

Thus, recipients must provide academic adjustments and aids that are effective and that are appropriate to the individual needs of the student with a disability. A postsecondary institution should engage in an interactive process that includes dialogue between the student seeking the adjustment and the officials responsible for ensuring that adjustments are provided. In reviewing a claim of denial of academic adjustments, OCR focuses upon whether, based on objective factors, the recipient acted in a reasonable, professional manner.

A postsecondary student with a disability who is in need of academic adjustments is obligated to provide notice of the nature of the disability to the university and to assist it in identifying appropriate and effective academic adjustments. In postsecondary schools, the students themselves must identify the need for an academic adjustment and give adequate notice of the need. The student's notification should be provided to the appropriate representative of the university who, depending upon the nature and scope of the request, could be the school's Section 504 coordinator, an appropriate dean, a faculty advisor, or a professor. If students have received proper notice of an institution's process for providing adjustments, they are expected to follow the process in seeking an adjustment. This includes the obligation to inform the university of their disability and need for an academic adjustment or auxiliary aid and provide supporting documentation.

Issue 2:

Regarding accessibility, the University is a private postsecondary institution. As such, it is governed by the requirements of Section 504. Private institutions may also choose to use the accessibility standards provided by the Americans with Disabilities Act. The regulation implementing Section 504, at 34 C.F.R. § 104.21, states that no person with a disability shall, because a recipient's facilities are inaccessible to or unusable by persons with disabilities, be denied the benefits of, be excluded from participation in, or otherwise be subjected to discrimination under any program or activity to which Section 504 apply.

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The Section 504 regulation contains two standards for determining whether a school's programs, activities, and services are accessible to individuals with disabilities. One standard applies to existing facilities; the other covers new construction and alterations. The applicable standard depends upon the date of construction or alteration of the facility.

For existing facilities, the regulations require an educational institution to operate each service, program, or activity so that, when viewed in its entirety, it is readily accessible to and usable by individuals with disabilities. This standard does not necessarily require that the institution make each of its existing facilities or every part of a facility accessible if alternative methods are effective in providing overall access to the service, program, or activity. 34 C.F.R. §104.22(a). Under the Section 504 regulation, existing facilities are those for which construction began before June 3, 1977. In choosing among available methods for meeting the program access requirement for existing facilities, the institution is required to give priority to those methods that offer services, programs, and activities to qualified individuals with disabilities in the most integrated setting appropriate. 34 C.F.R. § 104.22(b).

For new construction, the facility (or newly constructed part of the facility) must itself be readily accessible to and usable by persons with disabilities. 34 C.F.R. § 104.23(a). With regard to alterations, each facility or part of a facility that is altered by, on behalf of, or for the use of an institution after the effective date of the Section 504 regulation in a manner that affects or could affect the usability of the facility or part of the facility must, to the maximum extent feasible, be altered in such manner that the altered portion of the facility is readily accessible to and usable by persons with disabilities. 34 C.F.R. § 104.23(b).

The Section 504 regulation, at 34 C.F.R. § 104.23(c), delineates the American National Standards Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped [ANSI 117.1-1961 (1971)] (ANSI) as a minimum standard for determining accessibility for facilities constructed or altered on or after June 3, 1977, and before January 18, 1991, and the Uniform Federal Accessibility Standards (UFAS) for facilities constructed or altered on or after January 18, 1991. The buildings and parking lots referenced below in this complaint were built and/or renovated between 1998 and 2014. The University informed OCR that they applied the ADA Standards for Accessible Design (ADA Standards) in evaluating the accessibility of the University's parking lots. As a result, OCR used the ADA Standards for Accessible Design¹, Appendix A to 28 C.F.R. Part 36, in evaluating the University's parking lots, ramps, and accessible routes/walkways.

Issue 3:

Section 504's implementing regulation at 34 C.F.R. 104.43(a) provides that no qualified person with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any academic, research,

¹The Title II regulation of the Americans with Disabilities Act, at 28 C.F.R. § 35.151(c), delineates UFAS or the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (ADA Standards) as a minimum standard for determining accessibility for covered facilities constructed or altered on or after January 26, 1992. As a private educational institution, Title II of the ADA does not apply to the University.

occupational training, housing, health insurance, counseling, financial aid, physical education, athletics, recreation, transportation, other extracurricular, or other postsecondary education aid, benefits, or services to which this subpart applies.

OCR evaluates evidence obtained during an investigation under a preponderance of the evidence standard to determine whether the greater weight of the evidence is sufficient to support a conclusion that a recipient (such as the University) failed to comply with a law or regulation enforced by OCR or whether the evidence is insufficient to support such a conclusion.

Factual Findings and Conclusions

Issue #1: Whether the University discriminated against the Student on the basis of disability, by failing to provide the Student academic adjustments in all of her classes for the 2014 fall semester with respect to the provision of audio recording and a note taker, in noncompliance with the Section 504 implementing regulation at 34 C.F.R. § 104.44(a).

The Complainant alleged that all of the Student's professors for the fall 2014 semester denied the Student her academic adjustments with respect to providing a note taker and audio recording in class. In an interview with the Student, she specifically noted that the Organic Chemistry Professor did not want her to audio record in the class. The Student stated that the remaining professors allowed her to audio record in the class. The Student stated that she was registered with the University's Office of Student Disability Services and provided all of her professors with the letter of accommodations at the beginning of the fall 2014 semester, which stated that she was entitled to certain academic adjustments.

OCR found that the University has adopted policies and procedures regarding the provision of services for students with disabilities, including academic adjustments, and has a nondiscrimination notice with regard to persons with disabilities. The University's policies and procedures are published and are accessible on its website.

Documentation showed that on August 28, 2014, the Student received her approved letter of accommodations for the semester from the Office of Student Disability Services. The letter stated that the Student was eligible to receive: (1) extended time on testing, (2) taking tests in a distraction-reduced environment, (3) use of a computer for written test, (4) note taker in class as needed, (5) permission to eat/drink in class, and (6) use of an audio recorder with signed permission form. The August 28, 2014 email to the student providing the letter of accommodations also included the audio recording permission form, and stated that the student must have her professors signed permission to audio record, and must return the form to the Office Student Disability Services, in order to receive the audio recording accommodation.

Academic Adjustment – Note taking

Regarding the provision of note takers, the Student stated that in every class there has been an assigned volunteer note taker, including during the fall 2014 semester (volunteer note takers are assigned to a class, not to a particular student). However, the note takers did not consistently provide the notes following class, and occasionally provided the notes over two weeks after a class. The Student stated that it is the responsibility of the Office of Student Disability Services

to make sure that students receive note takers and receive class notes from the note takers, through the University Blackboard (electronic system). The Student stated that sometimes the Office of Student Disability Services could not get enough note takers; therefore, she and others would not get their notes. The Student stated that for her fall 2014 Organic Chemistry class, she informed the Office of Student Disability Services that the note taker was not putting the notes on the University Blackboard, which resulted in the Student not receiving her notes on a consistent basis for that class.

OCR interviewed all of the Student's professors and a volunteer student note taker for the fall 2014 semester. According to University staff, the Office of Student Disability Services sends an email to students to solicit note taker volunteers. The students who volunteer can get service hours as a part of their work study.

The volunteer student note taker (Volunteer) for the fall 2014 Organic Chemistry class stated that the Office of Student Disability Services handles the scheduling of student volunteers for note takers for a class regardless of how many students have requested the academic adjustments. The Office of Student Disability Services sends the email to all volunteers and they reply to the request if interested in taking notes for a class. The note taker duties include taking written notes for the class and uploading them in PDF to the University Blackboard for students to access. Regarding the Student, the Volunteer stated that she does not know the Student or the Complainant because as a student note taker, she is assigned to the class and not to a particular student. The Volunteer stated that she was assigned to the fall 2014 Organic Chemistry class and asserted that she posted the notes upon completion for the class "a couple days a week."

OCR found that although the Student specifically identified the fall 2014 Organic Chemistry class as an issue in not receiving notes consistently, there were other instances during previous semesters where the Student contacted the Office of Student Disability Services concerned about not receiving notes, and in correspondence with the Student, the Office of Student Disability Services affirmed several issues with receiving notes on a consistent and timely basis.

Academic Adjustment – Audio recorder

If audio recording is used, the student and professor must sign an agreement (signed permission form). Documentation showed that the Student was informed by University staff that the signed permission form was required to use an audio recorder.

In September 2014, the Complainant and Student met with the Director of Academic Excellence Programs and the Dean of Students to discuss the provision of a note taker and audio recordings. The Student's August 28, 2014 accommodation letter provides in relevant part that she is eligible to receive note takers in class, as needed, and use of an audio recorder with signed permission form.

During the interviews with OCR, some of the Student's professors stated that they did not recall whether the Student provided a letter of accommodations from the Office of Student Disability Services or whether the Student asked for the use of a note taker or audio recording. With respect to the Organic Chemistry Professor (Professor) specifically identified by the Student, the Professor acknowledged receiving a letter of accommodations from the Student that included the

provision of a note taker and audio recording. The Professor also stated that she had a conversation with the Student regarding audio recording and worked with the Office of Student Disability Services to resolve the issue. However, the Professor stated that the Student did not return to her the signed audio recording permission form.

Based on the above, OCR found that the Student was approved by the Office of Student Disability Services to receive note takers in class and audio recording as academic adjustments for the fall 2014 semester. The Student did not have a personal note taker in her classes; however, the University, through the Office of Student Disability Services, provided student volunteer note takers for the class to take notes and post the notes on the online Blackboard for students to access. With respect to the Student, although she was approved to receive academic adjustments, the Student stated that she did not receive class notes on a consistent basis for the fall 2014 Organic Chemistry class. The Student notified the University on numerous occasions verbally and by email regarding the note takers not providing the notes.

Regarding audio recordings, the Student was notified that she could audio record her classes upon presenting her professors with a signed permission form. None of her professors interviewed denied the fact that the Student was authorized to audio record their courses. However, the professors further denied that the Student provided them with the required permission form to enable her to record their respective course. Contrary to the professors' testimony, the Complainant and Student asserted that the Student had provided the required documentation to all of her professors in order to receive her academic adjustments, including the permission form to audio record her classes. Thus, OCR could not corroborate whether or the Student submitted the requisite signed permission forms to each professor during the fall 2014 semester in order to audio record her classes.

Regarding the audio recording, OCR finds insufficient evidence to support a finding of noncompliance with Section 504, with respect to this issue. However, OCR finds that the evidence is sufficient to establish that the University failed to effectively provide the Complainant's note taking academic adjustments, in noncompliance with the Section 504 regulation at 34 C.F.R. §104.44(d). The University has agreed to implement the enclosed Resolution Agreement (Agreement), which, when fully implemented, will resolve the issues of noncompliance.

Issue #2: Whether the University discriminated against the Student with respect to the provision of accessible parking spaces at the buildings where she attended her classes for the fall 2014 semester, in noncompliance with the Section 504 implementing regulation at 34 C.F.R. § 104.21.

The Complainant stated that there are not enough accessible parking spaces where the Student took her fall 2014 semester classes. The Complainant and Student stated that where the Student's classes were located, there are faculty parking lots with accessible parking spaces, but students cannot park in those lots. The Student acknowledged that the University has a Campus Safety transportation service, which she has utilized a few times during the fall 2014 semester. However, the Complainant and Student still contend that there are not enough accessible parking spaces near the Student's class buildings. Specifically, the Student stated that the Cass Building

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and the Science Annex Building are where she has had the most difficulty finding an available accessible parking space.

OCR conducted an onsite inspection of the University campus on April 30, 2015, regarding this allegation. According to University staff, if a person with a disability needs assistance or if there are no available accessible parking spaces, the Campus Safety Office-LASER Team is available to pick up and drop off students to campus buildings throughout the campus. The Campus Safety Service is available to all students and the information regarding the services is located on the University's website. OCR took photographs and measurements of the accessible parking spaces at the following buildings:

Riverside Center

This building is located to the right of University Drive towards the entrance of the University campus and the building contains the Post Office, administrative offices and classrooms.

There are a total of 22 parking spaces, including 1 designated accessible parking space. The accessible space measured at 142 inches wide with a 67 inch access aisle and included signage with the universal symbol of accessibility. *See* ADA Standards § 4.6.4. OCR also determined that there was a 59 inch wide access aisle to the nearest accessible route and entrance to the building. *See* ADA Standards § 4.3.2. The OCR review determined that the ground and floor surface along the accessible route was stable, firm, and slip-resistant. *See* ADA Standards § 4.5.1.

Plant Hall/Science Center

This building is located to the left of University Drive and the building contains administrative offices, and the Chemistry and Science labs. University Drive is the main street that traverses the campus and has a total of 4 parking spaces that run parallel to the main street. These 4 parking spaces are not in a parking lot. There is 1 designated accessible parking space in the front of the building, which is accessed on University Drive. The 1 designated accessible parking space in front of the building is 145 inches wide and has an access aisle that is 66 inches wide. The designated accessible parking space contains the universal symbol of accessibility. *See* ADA Standards § 4.6.4. The designated accessible parking space has a level access aisle that connects to an accessible route that is more than 36 inches wide. *See* ADA Standards §§ 4.3.2; 4.7.2. As required by § 4.5.1 of the ADA Standards, the ground and floor surface along the accessible routes are stable, firm, and slip-resistant.

College of Business Building

This building is located on Spartan Lane off of University Drive. The parking spaces also serve the Chapel and Walker Hall. On Spartan Lane, the parking spaces are in one single lane one behind each other along the street curb. There are a total of 3 parking spaces, including 7 designated accessible spaces. The designated accessible parking spaces are greater than 96 inches wide and parallel to the curb. There are four accessible curb ramps located within the line of parking spaces along the curb. *See* ADA Standards §§ 4.7.1; 4.7.7. In addition, there is mounted signage with the universal symbol of accessibility at each of the accessible parking spaces. *See* ADA Standards § 4.6.4. OCR also determined that, consistent with § 4.5.1 of the

ADA Standards, the ground and floor surface along accessible routes are stable, firm, and slip-resistant.

Cass Building and Science Annex

The Cass Building is located on University Drive near the rear of the campus and intersects with Cass Street. The Science Annex is located directly behind the Cass Building, which can be accessed through the Cass Building. Individuals can also access the Science Annex in the back of the building; however, the parking area is for faculty access only, which includes 4 designated accessible parking spaces. Individuals with disabilities would have to access the Cass Building and Science Annex in front of the Cass Building on University Drive. There are two parking areas directly across from the Cass Building – Faculty Parking with an access gate and a general parking area. The general parking area includes a total of 6 parking spaces and 2 designated accessible parking spaces. The 2 designated accessible parking spaces measured 148 inches wide and included a 66 inch access aisle. In addition, both designated accessible parking spaces had mounted signage with the universal symbol of accessibility. *See* ADA Standards § 4.6.4. The accessible route to the Cass Building also includes a walkway that is greater than 36 inches wide until a cross walk (University Drive) towards the entrance of the building; the ground and floor surfaces along accessible routes are stable, firm, and slip-resistant. *See* ADA Standards §§ 4.3.2; 4.5.1. In order to access the Science Annex, the person has the option of entering the Cass Building and travelling towards the back of the building or travelling around the Cass Building to access the back of the building and the entrance of the Science Annex.

In addition, there is a designated accessible space in the front of Morsani Hall (Residence), which is also along University Drive across from the Cass Building. The Student stated that the designated accessible parking space located at Morsani Hall was often occupied by a Food staff employee. The Student further stated that she reported the parking issue to Campus Security. The Student also stated that Campus Security informed her that she could not park in the accessible parking spaces in front of Cass Hall; however, she could not identify the Campus Security staff who allegedly made the comment or with whom she spoke regarding the parking issue. The Student stated that this occurred in 2011; however, at the time she filed the complaint, she parked in the Cass Building accessible parking space when available.

Plant Hall – Rear of Building

Plant Hall is located in rear of the building located in the loading dock area. However, there are only 2 designated accessible parking spaces behind Plant Hall. Both accessible parking spaces measured are 144 inches wide and have a 69 inch access aisle. The accessible parking spaces also have mounted signage with the universal symbol of accessibility. *See* ADA Standards § 4.6.4. The ground and floor surfaces along the accessible routes are stable, firm, and slip-resistant. *See* ADA Standards § 4.5.1. There is a parking lot across from the 2 accessible parking spaces; however, this lot is restricted for faculty.

OCR found that for general campus parking, there are two parking decks on the west side of the campus (Thomas Parking Garage and West Parking Garage) that are used by students, visitors and University staff. With respect to persons with disabilities who have mobility impairments, OCR noted that this parking lot would not be the nearest accessible option for those individuals based on the travel distance to and from the parking deck and many of the campus buildings.

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Therefore, persons with mobility disabilities would benefit from the designated accessible parking spaces adjacent to the buildings on the main street routes of the campus.

Based on its review of the street map/routes of the University campus and review of identified building and the nearest parking to those buildings, OCR found that the University has provided a sufficient number of designated accessible parking spaces consistent with the ADA Standards.

OCR found that the Riverside Center has the largest number of total number of parking spaces (22 spaces), including 1 designated accessible parking space, as required by the ADA Standards. All of the other parking areas identified above in this complaint meet the minimum requirements of designated accessible parking spaces. Specifically, as required by § 4.6.1 of the ADA Standards, all of the parking lots have a minimum number of designated accessible spaces based on the number of parking spaces in the parking lot. Based on its review, OCR determined that the designated parking spaces reviewed are a minimum of 96 inches, in compliance with § 4.6.3 of the ADA Standards; the parking spaces and access aisles are level with surface slopes not exceeding 1:50 (2%) in every direction, in compliance with § 4.6.3 of the ADA Standards. During its review, OCR also determined that the curb ramps are sufficiently wide, at a minimum of 36 inches wide, exclusive of flared sides, in compliance with § 4.7.3 of the ADA Standards. In addition, OCR determined that each accessible parking space is marked by mounted signage with the international symbol for accessibility. *See* ADA Standards § 4.6.4. Furthermore, the Student confirmed that she has utilized the available University Campus Safety transportation service, when necessary, to access any of her classes from the various University parking areas.

Based on the above, OCR found that the University has complied with the requirements of the § 4.1.2(5)(a) of the ADA Standards regarding the number of accessible parking spaces closest to the buildings identified by the Complainant and Student. The University's Campus Safety offers a transportation service for persons with disabilities that provides transportation from other parking areas to the building entrances. During the investigation, the Student acknowledged that the University has a transportation service for persons with disabilities if someone needs to be picked up or dropped off from the parking areas. The Student also confirmed that she has used the transportation service, as necessary, during the fall 2014 semester. OCR, therefore, finds using a preponderance of the evidence standard, that there is insufficient evidence to support a finding that the University discriminated against the Student on the basis of disability, in noncompliance with Section 504 as it relates to this issue.

Issue #3: Whether the University discriminated against the Student by requiring her to pay the student insurance in order to continue attending the University or access services, in noncompliance with the Section 504 implementing regulation at 34 C.F.R. § 104.43(a).

The Complainant stated that in order to attend the University, the University required the Student to pay for student health insurance although she already had her own health insurance and social security benefits. The Complainant stated that she requested to opt out of the required student health insurance; however, the University denied the request. The Complainant and Student stated that the student insurance does not cover the Student's disability. The Student stated that she was told that her disability is congenital and insurance will not cover vision, dental, medication, and surgery services, when in fact her condition is acquired.

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According to University staff, the student health insurance is a mandatory health plan program for all students with and without disabilities who attend the University. Many students also have additional family health insurance. The student health insurance is a part of tuition for admissions and there is no opt-out option for this requirement. The student health program, which includes the student health insurance, has several services that are offered to students, such as counseling services and health and wellness services. During a meeting with the Complainant, the Student, and University staff on September 16, 2014, the Complainant's concern regarding this issue was discussed, and University staff explained that the mandatory fee covers more than insurance, and that there is no opt-out provision for any student, with or without disabilities.

OCR found that the information regarding the student health program is located on the University's website. The University's policy states that the student health insurance fee is mandatory for all students regardless of whether they are covered by a family insurance policy. The policy stated and University staff confirmed that the University has not granted a waiver for any student because the student health insurance is a part of the University's student health fee. The student health insurance covers medical services as well as use of the University's Dickey Health and Wellness Center. The Student Health Center contracts with United Healthcare Student Insurance and is not an in-network provider to any other insurance plans. Students are also informed about the student insurance and health programs at orientation.

Based on the forgoing, OCR found that the University has a policy that requires all students with and without disabilities to acquire student health insurance in order to attend the University. There is no waiver allowed for any student, including for students with a family medical plan. The student health insurance is a part of the University's health and wellness programs that offers insurance and access to its health and wellness center for various medical services. Although the Complainant and Student informed OCR of their disagreement with the University's policy and believe that the insurance does not cover the Student's disabilities, the requirement to have the student insurance is mandatory for all students as a part of its tuition to attend the University. OCR, therefore, finds using a preponderance of the evidence standard, that there is insufficient evidence to support a finding that University discriminated against the Student on the basis of disability, in noncompliance with Section 504 as it relates to this issue.

Conclusion

Accordingly, OCR finds, using the preponderance of the evidence standard, that there is insufficient evidence to support a finding the University is in noncompliance with Section 504 for Issues #2 and #3 as alleged. However, OCR found a compliance concern regarding Issue #1, in which the University has agreed to enter into the enclosed Agreement.

OCR will monitor the University's implementation of the Agreement in this case to ensure that it is fully implemented. If the University fails to fully implement the Agreement, OCR will reopen the case and take appropriate action to ensure compliance with Section 504. Further, the Complainant may file a private lawsuit in federal court regardless of whether 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 that, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

Intimidation or retaliation against complainants by recipients of Federal financial assistance is prohibited. No recipient may intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by the laws OCR enforces, or because one has made a complaint, or participated in any manner in an investigation in connection with a complaint.

OCR appreciates the University's cooperation in this matter and looks forward to receiving the monitoring reports, as required by the enclosed Agreement. If you have any questions, please contact Katherine Dunn, General Attorney at 404-974-9363.

Sincerely,

Melanie Velez
Regional Director

Enclosure: As stated
CC: Michael D. Malfitano, Esq.