



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

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REGION IV
ALABAMA
FLORIDA
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May 18, 2015

Mr. Jim Wagner, President
Emory University
201 Dowman Dr.
Atlanta, GA 30322

Re: Complaint #04-15-2025

Dear Mr. Wagner:

This letter is to notify you of the determination of the U.S. Department of Education (Department), Office for Civil Rights (OCR) in the above-referenced complaint filed on October 28, 2014 against Emory University (University) alleging discrimination against you on the basis of disability. Specifically, the Complainant alleged that the University failed to grant her requested accommodation of unlimited time on assessments. In addition, the Complainant alleged that the University failed to effectively implement your note taking accommodation.

OCR investigated the complaint pursuant to Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation, 34 C.F.R. Part 104, which prohibit discrimination based on disability.

Based on the allegations, OCR investigated the following issues:

1. Whether the University discriminated against the Complainant on the basis of disability when it denied her request for unlimited time on tests and exams in July 2014, in noncompliance with Section 504, and its implementing regulation at 34 C.F.R. § 104.44(a).
2. Whether the University failed to effectively implement the Complainant's note taking accommodation by not timely providing class notes beginning on or around August 27, 2014, in noncompliance with Section 504, and its implementing regulation at 34 C.F.R. § 104.44(a) and(d).¹

¹ OCR's Letter of Notification to the Complainant and Data Request Letter to the University referenced regulation 34 C.F.R. § 104.61, instead of the applicable regulations at 34 C.F.R. § 34 C.F.R. 104.44(a) and (d). The correct regulations have been cited and included in this Letter of Findings to the Complainant and the University.

During the complaint resolution process, OCR reviewed documents provided by the University and the Complainant and conducted interviews with the Complainant and University staff. 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. Based upon the preponderance of evidence, OCR found insufficient evidence to support a finding that the University was in noncompliance with the regulations implementing Section 504 with regard to issue number one. OCR found sufficient evidence to support a finding that the University was in noncompliance with the regulations implementing Section 504 with regard to issue number two. Additionally, OCR found an unalleged compliance concern. Set forth below is a summary of OCR's findings.

Legal Standard:

The regulation implementing Section 504 at 34 C.F.R. § 104.44(a) states that a recipient to which the regulation applies shall make such modifications to its 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 by such student or to any directly related licensing requirement will not be regarded as discriminatory within the meaning of Section 504. Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted.

The regulation implementing Section 504 at 34 C.F.R. § 104.44(d) states that a recipient to which this subpart applies shall take such steps as 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.

Under Section 504, postsecondary institutions do not have a duty to identify students with disabilities. Students in institutions of postsecondary education are responsible for notifying institution staff of their disability should they need academic adjustments. The disclosure of the disability is voluntary; however, if the student wants an institution to provide an academic adjustment or auxiliary aids the student must follow the institution's published procedures and identify himself or herself as having a disability and request academic modifications or auxiliary aids as needed by providing required medical documentation to the institution's disability services office. The postsecondary institution may require that the student follow reasonable procedures and students are responsible for knowing these procedures and following them. Also, universities may set reasonable standards for documentation and must inform students of the documentation required. However, the process for determining what aids and services are reasonable should be an interactive process between the student and the appropriate disability services staff.

Once a student has identified him or herself as an individual with a disability, requested an academic adjustment and provided appropriate documentation upon request in accordance with the institution's published procedures, institution staff should discuss with the student what academic adjustments are appropriate in light of the student's individual needs and the nature of the institution's program. Students with disabilities possess unique knowledge of their individual disabilities and should be prepared to discuss the functional challenges they face and, if applicable, what has or has not worked for them in the past. Institution staff should be prepared to describe the barriers students may face in individual classes that may affect their full participation, as well as to discuss academic adjustments that might enable students to overcome those barriers.

Finally, the regulation implementing Section 504 at 34 C.F.R. §104.7 (a) and (b) states a recipient that employs fifteen or more persons shall designate at least one person to coordinate its efforts to comply with this part. This section also states that a recipient that employs fifteen or more persons shall adopt grievance procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by this part.

Background Information

The Complainant is currently enrolled as a XXXX major at the University. She attended XXXX for her first two (2) years, followed by summer school at the University between May 19, 2014 and August 8, 2014. The Complainant's disability is XXXX. While at Oxford, the Complainant received academic adjustments through the University's Access, Disability Services, and Resources (ADSR) office. She received time and a half on tests and quizzes, had note takers for her classes, and received a distraction free testing environment.

Between December 2013 and January 2014, the Complainant spoke with her counselor and doctor. Thereafter, the Complainant's doctor gave her paperwork to submit to XXXX requesting that her accommodations be modified to allow unlimited time on tests and quizzes, among other modifications not relevant to this inquiry. The Complainant submitted this documentation to the XXXX. According to the Complainant, the XXXX denied the accommodation request for unlimited time on tests and quizzes, but offered to see if the Student qualified for a double time accommodation.²

According to the Complainant, in February 2014, the XXXX told the Complainant that she did not qualify for double-time on tests, but no specific reason was given. At some point prior to July 10, 2014, the Complainant re-submitted her January 2014 accommodation request to the XXXX. When she did not receive a response from the XXXX, the Complainant sent a follow-up email to the XXXX on July 10, 2014.

On July 25, 2014, the Complainant met with the XXXX. The Complainant explained her frustration with the denial of her accommodations at XXXX. During an interview with OCR, the

² The XXXX left the University's employment on August 22, 2014. OCR was unable to reach the XXXX to conduct an interview.

Complainant contended that the XXXX apologized for the issues at XXXX and explained that her double-time request should have been granted.³ During this meeting, the Complainant sought unlimited time on her tests a second time. According to the Complainant, the XXXX informed her that the University did not allow unlimited time testing accommodations because it would present a “red flag.” Further, the Complainant contended that the XXXX told her that there were limits to what the University could offer. The Complaint stated that she could tell that her request for unlimited testing time would not be granted based on the XXXX’s tone.

During an interview with OCR, the XXXX denied making these comments. Instead, she explained that she reviewed the Complainant’s file and determined that granting her double time, rather than an unlimited time accommodation, would benefit the Complainant. On July 25, 2014, the XXXX implemented the following accommodations for Complainant’s junior year at the University: double-time on tests, quizzes, and exams with two breaks of 15 minutes during the tests; a distraction free testing environment; breaks; and, note takers for each class. The Complainant began classes for the 2014-2015 school year with the XXXX’s July 2014 approved modified accommodations in place.

Factual Findings and Analysis

Issue No. 1: Whether the University discriminated against the Complainant on the basis of disability when it denied her request for unlimited time on tests and exams in July 2014, in noncompliance with Section 504, and its implementing regulation at 34 C.F.R. § 104.44(a).

In this case, the Complainant alleged that when she requested unlimited testing time from the University on July 25, 2014, the XXXX offered the Complainant a double-time accommodation with two 15 minute breaks on each test instead, effectively denying her accommodation request.

In response to OCR’s requests for data, the University explained that it does not have a policy with regard to allowing unlimited time on tests, quizzes, and exams. According to the University, offering extended, rather than unlimited, time typically meets the needs of the requesting student.

However, when the accommodation of time and a half or double time does not meet the needs of the requesting student, the University commences a case-by-case analysis of the request. Therein, the ADSR office might require a student to produce additional documentation. Once the additional review concludes, a decision is made concerning the request. The ADSR office schedules a time to discuss the decision with the requesting student.

During an interview with OCR, when asked what facts she considered when she denied the Complainant’s request for unlimited testing time, the XXXX responded that she spoke with the Complainant, reviewed the Complainant’s evaluation report and the documents attached to the Complainant’s file. She read the documents, looked at the Complainant’s scores, and made judgments on what could be done to support the Complainant. In addition, the XXXX gave

³ OCR did not investigate the allegation regarding the denial of an academic adjustment in spring 2014 because the allegation was not timely filed and the Complainant’s request for a waiver was denied.

OCR examples of the types of academic adjustments that have been effective in helping students who have requested unlimited time. It was the XXXX's opinion after meeting with the Complainant and reviewing her documentation that giving her double time with two 15 minute breaks during the tests would be a "reasonable accommodation" for the Complainant's disability of ADHD.

In a rebuttal interview, the Complainant confirmed the XXXX's account. At the time that she talked with the XXXX, the Complainant did not know whether the double testing time adjustment would be effective because she had not yet utilized it. The Complainant never returned to ADSR office to express that the double testing time was ineffective.

The XXXX explained that if a student wanted to appeal an accommodation decision, he or she would first discuss the matter with his or her coordinator. If the matter could not be resolved, it would then be elevated to the Assistant Director. If not resolved at that level, the matter would be brought to her attention. The XXXX confirmed that a matter could also be directly brought to her attention. She stated that in cases where she could not resolve a matter, the situation would be elevated to the Office of the Provost.

The XXXX could not confirm whether this appeal process was in writing, but explained that it is a practice within the ADSR office. In a rebuttal interview, the Complainant was asked whether she appealed the XXXX's decision to deny her request for unlimited time on assessments. The Complainant responded that she was not aware that she could appeal the XXXX's determination.

The Complainant produced a February 25, 2015 email to OCR which was submitted to her by the XXXX. Therein, the XXXX confirmed that the ADSR's published procedures for providing services to students with disabilities did not include an "official appeal process" whereby students who have been denied requested academic adjustments by the ADSR can appeal those decisions. However, the XXXX offered the Complainant an opportunity to appeal the accommodation decision to the Office of the Provost. In a follow-up conversation with OCR staff, the Complainant confirmed that the double time accommodation was effective and that she did not appeal the XXXX's accommodation decision.

Conclusion

Pursuant to the applicable regulations, once a student has identified him or herself as an individual with a disability, requested an academic adjustment and provided appropriate documentation upon request, institution staff should discuss with the student what academic adjustments are appropriate in light of the student's individual needs and the nature of the institution's program.

Here, in response to this complaint allegation, the University asserted its position that unlimited testing time is not a reasonable accommodation. However, In the XXXX's OCR interview, she confirmed that she met with the Student and engaged in an interactive process to determine what adjustment would best meet the Complainant's needs. The XXXX stated that the University would consider unlimited testing time requests on a case by case basis after other reasonable accommodations have been tried. When the XXXX denied the Complainant's request for

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unlimited testing time, there was no indication that the double testing time academic adjustment would be ineffective.

Thus, based upon the foregoing, OCR finds that there is insufficient evidence to establish that the University discriminated against the Complainant on the basis of disability, when it denied her request for unlimited testing time.

OCR notes, however, that while the XXXX described an interactive process and case-by-case consideration of requests for “unlimited time,” in its position statement responding to OCR’s data request⁴, the University took the position that unlimited testing time is an “unreasonable accommodation.” Also, in an interview the XXXX emphasized her view of what academic adjustments meet the needs of students with ADHD and the types of adjustments that have been effective for other students who have requested unlimited time. OCR reminds the University of its obligation to engage in an interactive process that includes a discussion with the student about what academic adjustments are appropriate in light of the student’s individual needs and the nature of the institution’s program. The University is further reminded that students with disabilities possess unique knowledge of their individual disabilities and what has or has not worked for the requesting student in the past.⁵

Issue No. 2: Whether the University failed to effectively implement the Complainant’s note taking accommodation by not timely providing class notes beginning on or around August 27, 2014, in noncompliance with Section 504, and its implementing regulation at 34 C.F.R. § 104.44(d).

The Complainant alleged, and the University did not dispute, that between August and December 2014, the ADSR office failed to consistently implement the Complainant’s note taking accommodation. Specifically, the University responded to the Complainant’s note taking allegation with the following explanation:

Note takers are students, who sign a note taker agreement and agree to deliver notes to the ADSR twice a week . . . Unfortunately, these student sometimes fail to meet this goal due to a variety of reasons, including the demands of being a student. It appears this may have occurred here.

Further, there was no dispute that the Complainant followed the University’s policies with respect to requesting accommodations and facilitating her note taker accommodations. Specifically, the University provided documentation detailing the following “Student Responsibilities” with respect to the note taking accommodation:

- After registering with ADSR, notify their professor that they have been appropriated an accommodation for a notetaker. Advise the professor that you [sic] would like to receive a notetaker for their class

⁴ The position statement is not signed by a University staff member who served as a witness or is involved in processing requests for academic adjustments or auxiliary aids.

⁵ OCR will also provide the University further technical assistance concerning this obligation.

- Alert/notify ADSR (as soon as possible) if you have not started receiving your notes to your Emory email address a week after your professor indicates that a student has been selected
- Notify ADSR if you haven't received notes in two weeks from the beginning of class (beginning of the each semester)
- Notify ADSR if your notes are not legible, or if your notes don't work with your learning style

The Complainant's first day of class was August 27, 2014. On September 3, 2014, Complainant informed the ADSR office of her fall course schedule and asked for a point of contact concerning her accommodations. She was provided a form letter to be signed by each professor acknowledging their awareness of her accommodations and agreement to facilitate the same. In addition, the Complainant received a document to deliver to her professors which explained the note-taking accommodation and how to facilitate the same. The Complainant met with each of her professors to deliver and have the documents signed.

The Complainant stated that she did not have any note taking concerns with her Arabic 101 class because the course is not lecture-based. In addition, the Complainant confirmed that she did not need notes for her Physics Lab. The Complainant told OCR that she had problems receiving timely notes for her physics, math, and biochemistry classes after the fall semester began. Since the beginning of the school year, the Complainant exchanged numerous emails with the XXXX and ADSR staff regarding timely receipt of her notes. On September 10, 2014, Complainant contacted the XXXX, who was solely responsible for facilitating testing and note taking accommodations. The Complainant conveyed the following exam schedule: Physics on September 26, 2014, Biochemistry on September 30, 2014, and Math on October 2, 2014.

On September 16, 2014, the Complainant emailed the XXXX. The Complainant explained that she had not received any physics notes within the last week and a half. Complainant informed the XXXX that her XXXX professor (XXXX Professor) confirmed that he had found a note taker, but that she also had not received any math notes. The Complainant requested that the missing notes be submitted to her later that day.

The Complainant sent a second request for math, biochemistry, and physics notes on September 19, 2014. On September 19, 2014, the XXXX emailed the Complainant and wrote that the ADSR office was still in the process of scanning Complainant's notes. He further informed the Complainant that the office was still searching for note takers. The Complainant sent an additional email expressing her frustration with the delay in receiving her notes on September 19, 2014. On September 22, 2014, the XXXX emailed her back stating that she wanted to meet to explain the note taking process. The Complainant responded the same day providing her available dates for the meeting. The Complainant contends that the XXXX did not respond to the Complainant's email.

The Complainant took her first math exam on October 2, 2014. Between August 27, 2014 and October 2, 2014, the Complainant only received math notes for two class periods, September 11, 2014 and September 25, 2014. The Complainant took her math exam without the benefit of all

prior class notes. During an interview with OCR, the Complainant's XXXX professor confirmed that the Complainant delivered documentation to him evidencing her need for a note taker. In turn, the XXXX Professor stated that he made an announcement to his class and had two students volunteer to take notes. He directed the students to the ADSR for further instructions. He confirmed that one of the students was offered the position as a note taker. Notwithstanding, a couple of weeks after making these arrangements, the Complainant informed the XXXX Professor that she was not receiving math notes. The XXXX Professor stated that "immediately" after the Complainant informed him that the ADSR office had not been giving her notes, he spoke to the ADSR office.

The XXXX Professor stated that he was assured by the ADSR that the notes were being delivered to the ADSR office and to the Complainant. He asked that moving forward the ADSR make "doubly sure" that the Complainant received her notes. The XXXX Professor also stated that another student in his class was experiencing the same problem with his note taking accommodation. However, that student preferred to use the book, rather than student notes as a reference.

A couple of weeks later, the XXXX Professor explained that the Complainant was still reporting that she was not receiving class notes. Thus, he collected and copied a combination of his own notes and those of the note taker for the Complainant to ensure that the Complainant was up to speed. In mid-October 2014, based in part upon the difficulties the Complainant was having with receiving her notes, the XXXX Professor became motivated to upload his own notes to his teacher website (Blackboard).

The Complainant's first physics exam was September 26, 2014. The University began providing the Complainant with physics notes on September 20, 2014. Between August 27, 2014 and September 22, 2014, the University delivered physics notes to the Complainant on two occasions: September 20, 2014 and September 22, 2014. By the time the Complainant took her physics exam, the University had provided physics notes for six (6) class periods, despite that the class met nine (9) times between August 27, 2014 and September 26, 2014.

With respect to biochemistry, the Complainant's first exam was September 30, 2014. The University failed to provide the Complainant with any biochemistry notes until October 7, 2014. The Complainant also had a biochemistry quiz every Tuesday.

In her OCR interview, the XXXX confirmed that the ADSR had received several student concerns regarding note taking accommodations. In response to these concerns, the XXXX looked into the matter and determined that the ADSR office needed additional support to facilitate the note taking accommodation. Thereafter, the ADSR office hired a XXXX with the sole responsibility of facilitating the note taking accommodation. The XXXX retired from the University, effective February 1, 2015. However, her last day in the office was January 16, 2015. The XXXX was unable to explain what, if any additional modifications the ADSR office made to the note taking accommodation process beyond hiring the XXXX.

On October 12, 2014, the Complainant emailed the XXXX the schedule of her second set of exams as follows: Physics on October 27, 2014 and Biochemistry on October 21, 2014. The

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Complainant emailed the XXXX regarding her notes on October 5, 2014. For the first time, during a visit to the ADSR office, the XXXX asked the Complainant to let her know what notes she was still missing. On October 10, 2014, the Complainant emailed the XXXX explaining that she needed her notes as soon as possible.

As of October 27, 2014, the date of the Complainant's second physics exam, seventeen (17) physics class periods had concluded. At this time, the University had only provided Complainant with physics notes for a total of ten (10) class periods. With respect to the Complainant's October 21, 2014 biochemistry exam, at the time of the exam, the University had provided the Complainant with notes for twelve (12) of fifteen (15) class periods.⁶

On November 2, 2014, the Complainant confirmed the following additional exams with the ADSR office: math on November 13, 2014, physics on November 17, 2014, and biochemistry on November 18, 2014. As of the Complainant's November 17, 2014 physics exam, the University had provided the Complainant with notes for seventeen (17) of twenty-three (23) physics classes. During the week of November 3 through 7, 2014, the Complainant emailed the XXXX explaining which biochemistry and physics notes she was still missing.

The XXXX was no longer employed with the University at the time of OCR's interviews. OCR was unable to reach him to conduct an interview. OCR did interview the XXXX. She confirmed that she was hired on September 23, 2014. Her primary responsibility was facilitating the note taking process. She explained that the note takers are to deliver notes to her twice per week. However, sometimes the note takers do not do so, which can cause issues for students with accommodations (i.e. not receiving notes on time).

The XXXX explained that she became familiar with the Complainant when it was brought to her attention that the Complainant was not receiving her notes. The XXXX confirmed that the Complainant had, in fact, not been receiving her notes. She explained that typically when this happens she advises the note takers of their agreement and asks for the notes immediately. If they do not provide the notes, then she informs the respective professor that he must find a new note taker (i.e. the note taker is fired).

The XXXX acknowledged that with respect to the Complainant, there was one note taker that was not submitting the notes. However, she did not fire the note taker. Instead, she brought the issue to the note taker's attention, and the note taker's performance improved. In addition, during her OCR interview, the XXXX explained her feeling that the Complainant should have stayed on top of the ADSR office with respect to her note taking accommodation. When asked whether this was a duty identified in the "Student Responsibilities," the XXXX agreed that it was not.

In an interview with the XXXX, XXXX for the University asserted that the ADSR office had implemented significant changes to the way it handles the note taking accommodation. The

⁶ On October 7, 2014, the University gave Complainant notes for September 2 through the 23, 2014. On October 15, 2014, the University gave Complainant biochemistry notes for September 15 through October 9, 2014.

University provided OCR with a signed statement from the University's new XXXX reflecting numerous personnel changes within the ADSR office. However, in her OCR interview, the XXXX confirmed that there had been no changes to the way the office facilitates the note taking accommodation since she started with the office in September 2014.

The Complainant confirmed that through March 2015, the University is still not consistent in timely providing her notes.

Conclusion

Although the Complainant met all of the University's requirements for access to the note taking accommodation, the University's ADSR office did not effectively facilitate the accommodation throughout the Complainant's first semester and through March 2015. In addition, the Complainant was required to take multiple assessments without the benefit of reviewing all prior class notes. Although classes began August 27, 2014, the University did not provide the Complainant with any class notes until September 16, 2014, after the Complainant emailed the ADSR office seeking her notes. The evidence shows that the Complainant was having difficulty compelling the University to timely provide her notes consistently through March 2015.

In addition, the University does not maintain any written document detailing the time expectation for receiving class notes. According to the University's own documentation, once a student registers with the ADSR office, speaks with his or her professors, and alerts the office if there are note taking concerns, the student has no further obligations. Complainant complied with these requirements, but still did not timely receive class notes.

Thus, OCR finds that the evidence is sufficient to establish that the University failed to effectively implement the Complainant's note taking accommodation by not timely providing class notes beginning on or around August 27, 2014, and continuing through March 2015, in noncompliance with the Section 504 regulation at 34 C.F.R. § 104.44(d).

Additional Compliance Concerns:

In response to OCR's request for data and information, the University submitted its "policies and procedures regarding the provision of services to students with disabilities." A review of the University's policies and procedures revealed that there is no written procedure for appealing or grieving ADSR decisions concerning requests for academic adjustments that have been denied.

The XXXX and XXXX confirmed that the ADSR office does not have any "written" or an "official process" for filing "appeals" of decisions regarding requests for accommodations or otherwise obtaining timely consideration of a concern about denial of a requested academic adjustment. In addition, in this case, after the XXXX denied the Complainant's unlimited testing time request, the Complainant was not told that she could contest the XXXX's determination to anyone else at the University.

As detailed above, the regulation implementing Section 504 at 34 C.F.R. §104.7 (b) states a recipient that employs fifteen or more persons shall, among other requirements, adopt grievance

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procedures that incorporate appropriate due process standards and that provide for the prompt and equitable resolution of complaints alleging any action prohibited by this part. The denial of requests for reasonable academic adjustments by the ADSR are decisions which should be subject to timely review pursuant to a prompt and equitable process for resolving concerns about possible discrimination under Section 504⁷.

While the University has stated that there is an appeal process for these decisions, it has not published that process in its ADSR publications. The Complainant in this case was not made aware that she could appeal the denial of her request for unlimited testing time. Accordingly, OCR finds sufficient evidence that the University is noncompliance with Section 504.

On May 14, 2015, the University agreed to implement the enclosed Resolution Agreement (Agreement), which commits the University to take specific steps to address the identified areas of noncompliance. When fully implemented, the Agreement entered into by the University will resolve the issues of noncompliance. OCR will monitor the implementation of the agreement until the University is in compliance with the statutes and regulations at issue in the case.

This concludes OCR's investigation of the complaint and should not be interpreted to address the University's compliance with any other regulatory provision or to address any issues other than those addressed in this letter.

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.

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.

Intimidation or retaliation against complainants by recipients of Federal financial assistance is prohibited. 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.

⁷ The University has grievance procedures for complaints of discrimination that are published on its website which were not reviewed as a part of this complaint investigation. Due to the importance of making timely decisions on requests for academic adjustments, review of denials of academic adjustments should be processed as expeditiously as possible so that students who grieve or appeal the decision can receive final decisions concerning what academic adjustments will be approved for classes in which they are enrolled. Moreover, if appeal procedures or references to existing grievance procedures are not included in written procedures concerning the process for obtaining academic adjustments, students should be made aware at least orally, that procedures are available for obtaining a timely review of denial of requests for academic adjustments.

If you have any questions regarding this matter, please contact Ms. Cerrone G. Coker, at (404) 974-9318 or Andrea de Vries, at 404-974-9314.

Sincerely,

Doris Shields
Acting Office Director