



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

61 FORSYTH ST., SOUTHWEST, SUITE 19T10
ATLANTA, GA 30303-8927

REGION IV
ALABAMA
FLORIDA
GEORGIA
TENNESSEE

July 3, 2018

Dr. James Henningsen
President
3001 S.W. College Road
Ocala, FL 34474-4415

Re: OCR Docket #04-18-2197

Dear Dr. Henningsen:

This letter 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 College of Central Florida (College). Specifically, the Complainant¹ alleged that the College discriminated against her when it banned her service animal from the College's campus in March of 2018.

OCR is responsible for enforcing 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. Section 504 prohibits discrimination on the basis of disability by recipients of Federal financial assistance. Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131, and its implementing regulation, 28 C.F.R. Part 35. Title II prohibits discrimination on the basis of disability by public entities. As a recipient of Federal financial assistance from the Department a public entity, the College is subject to these laws.

Based on the above allegation, OCR contacted the District through its Rapid Resolution Process (RRP) to resolve the legal issue of:

- Whether the College discriminated against the Complainant on the basis of disability when the College banned the Complainant's service animal from campus, in noncompliance with the Section 504 implementing regulation at 34 C.F.R. §§104.43 and 104.44.

During RRP, OCR reviewed information provided by the Complainant and the College.

Prior to OCR making a final determination, the College expressed an interest in resolving the allegation. On July 2, 2018, the College signed the enclosed Resolution Agreement, which, when

¹ OCR has identified the Complainant in previous correspondence and is withholding their name now for privacy purposes.

fully implemented, will address the allegations in the complaint. OCR will monitor the implementation of the Resolution Agreement.

This concludes OCR's investigation of the complaint and should not be interpreted to address the College'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.

Please be advised that the College 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 individual 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.

The Complainant may have a right to file a private suit in federal court whether or not OCR finds a violation.

If you have any questions, please contact Eulen Jang at (404) 974-9467 or me at (404) 974-9354.

Sincerely,

Scott R. Sausser, Esq.
Compliance Team Leader

Enclosure
cc: XXXXXXXX