



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS REGION IV
61 FORSYTH ST., SOUTHWEST, SUITE 19T10
ATLANTA, GEORGIA 30303-8927

Region IV
Alabama, Florida
Georgia, Tennessee

August 21, 2018

Via Email & US Mail

Dr. Bonita Jacobs
President
University of North Georgia
82 College Circle
Dahlonega, GA 30506

Re: Complaint #04-18-2213

Dear Dr. Jacobs:

On April 16, 2018, the U.S. Department of Education, Office for Civil Rights (OCR), received the above-referenced complaint which the Complainant filed against the University of North Georgia (the University). The complaint alleged that the University discriminated against the Complainant by creating and permitting a hostile environment based on disability. Specifically, the Complainant alleged that he was subjected to a hostile environment based on disability when: 1) his Professor XXXX and his Professor XXXX separately mocked psychologically disabled individuals in their respective classes; 2) students on campus called the Complainant crazy and threw things at him while he was riding his bike on campus; and 3) the University failed to conduct an investigation after the Complainant notified them of the alleged harassment.

OCR is responsible for enforcing 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; and Title II of the Americans with Disabilities Act of 1990, 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 and a public entity, the University is subject to these laws. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

Prior to the completion of OCR's investigation, the University requested to voluntarily resolve this complaint. Pursuant to Section 302 of OCR's Case Processing Manual, a complaint may be resolved, before the conclusion of an investigation, when the recipient or public entity expresses an interest in resolving the complaint. The attached Resolution Agreement (Agreement) will require the University to take actions to remedy any compliance concerns regarding compensatory education services.

On August 21, 2018, OCR received the enclosed signed Agreement that, when fully implemented, will resolve the complaint. OCR will monitor the University's implementation of this Agreement 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 and Title II. The Complainant may file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the University may not harass, coerce, 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.

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, personally identifiable information that, if released, could constitute an unwarranted invasion of privacy.

If you have any questions about this letter, please contact Colleen Grogan, at (404) 974-9395.

Sincerely,

A handwritten signature in blue ink that reads "Andrea Marie de Vries". The signature is written in a cursive style with a large initial 'A'.

Andrea de Vries
Compliance Team Leader

Enclosure