



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

June 12, 2018

Via Electronic Mail

XXXXXXXXXX, President
Acupuncture & Massage College
10506 N. Kendall Dr.
Miami, FL 33176

Re: OCR Complaint #04-18-4021

Dear XXXXXXX:

The U.S. Department of Education (Department), Office for Civil Rights (OCR), has concluded its investigation of the above-referenced complaint received by this office on January 24, 2018, alleging discrimination on the basis of disability by Acupuncture and Massage College (College). Specifically, the Complainant alleged that the College discriminated against her on the basis of disability by failing to provide her with an XXXXXXX for her classes.

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. As a recipient of Federal financial assistance from the Department, the College is subject to Section 504.

Prior to the completion of OCR's investigation, the College 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 College to take actions to remedy any compliance concerns regarding compensatory education services.

On June 8, 2018, OCR received the enclosed signed Agreement that, when fully implemented, will resolve the complaint. OCR will monitor the College's implementation of this Agreement to ensure that it is fully implemented. If the College fails to fully implement the Agreement, OCR will reopen the case and take appropriate action to ensure compliance with Section 504. The Complainant may file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the College 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.

OCR is committed to prompt and effective service. If you have any questions, please contact XXXXXX, at XXXXXX, or by email at XXXXXX@ed.gov, or the undersigned at XXXXXX.

Sincerely,

XXXXXXXXXXXXXXXXXXXXX
Supervisory General Attorney

Enclosures