



**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS**

500 WEST MADISON ST., SUITE 1475
CHICAGO, IL 60661-4544

REGION V
ILLINOIS
INDIANA
IOWA
MINNESOTA
NORTH DAKOTA
WISCONSIN

July 7, 2014

Mr. Phillip Davis
President
Minneapolis Community and Technical College
1501 Hennepin Avenue South
Minneapolis, MN 55403-1779

Re: OCR # 05-13-2051

Dear Mr. Davis:

This 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 the Minneapolis Community and Technical College (College) alleging discrimination on the basis of disability.

Specifically, the complaint alleged that the College discriminated against the Complainant on the basis of disability (mobility-impaired) in the Fall Semester 2012 when the College denied her request for disability-related academic adjustments in one of her Fall 2012 courses, causing her to receive a grade of "Withdrawal" in the course.

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, which prohibit discrimination on the basis of disability by recipients of Federal financial assistance. OCR also enforces Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12132, and its implementing regulation, 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability by public entities. As a recipient of Federal financial assistance from the Department and a public entity, the College is subject to these laws.

In accordance with Section 302 of OCR's *Case Processing Manual* a complaint may be resolved at any time when, before the conclusion of an investigation, the recipient expresses an interest in resolving the complaint. Prior to the conclusion of OCR's investigation, the College requested to resolve the complaint. Subsequent discussions with the College resulted in the College signing the enclosed agreement (Agreement) which, when fully implemented, will resolve the issue raised in the complaint.

OCR will monitor the College's implementation of the Agreement. If the College fails to implement the Agreement, we may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. We look

Mr. Phillip Davis
OCR # 05-13-2051
Page 2 of 2

forward to receiving the College's first report on its implementation of the Agreement by August 1, 2014.

Please be advised 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 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. 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.

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 file a private suit in federal court, whether or not OCR finds a violation.

If you have any questions about this letter, please feel free to contact Jason Frazer at 312-730-1653.

Sincerely,

Ann Cook-Graver
Supervisory Attorney

Enclosure