



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

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CHICAGO, IL 60661-4544

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December 12, 2013

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

Re: OCR # 05-13-2442

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), on June 25, 2013, against Minneapolis Community and Technical College (College) alleging discrimination on the basis of disability.

Specifically, the Complainant alleged that the College discriminated against her on the basis of disability in summer 2013 when she was prohibited from registering for courses due to the Complainant's disputed unpaid tuition balance related to a fall 2012 College course from which the Complainant was forced to withdraw due to an alleged failure to provide academic adjustments.

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 forward

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

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to receiving the College's report on its implementation of the Agreement by December 31, 2013.

Please be advised the College may not harass, coerce, intimidate or discriminate against any individual because he or she has filed 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 receive 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.

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

Cc: J.P. Barone, Esq.
Minnesota Assistant Attorney General

Enclosure