



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

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October 31, 2018

Dr. Mitch Mitchell
President
Mid-America College of Funeral Service
3111 Hamburg Pike
Jeffersonville, IN 47130

Re: OCR Docket #05-18-2206

Dear Dr. Mitchell:

The U.S. Department of Education (Department), Office for Civil Rights (OCR), has completed its complaint resolution efforts with regard to the above-referenced complaint filed against Mid-America College of Funeral Service (College) alleging discrimination based on disability.

Specifically, the complaint alleges that, during the 2017-2018 academic year, the College subjected a student with a disability (Student A) to discrimination on the basis of disability when it failed to modify its attendance policies and placed her on leave from the College.

OCR is responsible for enforcing Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. §794, and its implementing regulation at 34 C.F.R. Part 104, which prohibit 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.

During its investigation, OCR reviewed information provided by Student A and the College. Prior to OCR making a final determination, the College expressed an interest in resolving the allegation. On October 30, 2018, the College signed the enclosed Resolution Agreement, which, when fully implemented, will address the allegation 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.

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

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.

OCR would like to thank the College for the courtesy and cooperation extended to OCR during its investigation. If you have any questions regarding this letter, please contact Sherry Rosenblum, Equal Opportunity Specialist, at (312) 730-1601 or by email at Sherry.Rosenblum@ed.gov.

Sincerely,

Jeffrey Turnbull
Team Leader

Enclosure