



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS -- REGION VII

October 29, 2013

XXXXX X. XXXXX
Attorney
XXXXX XXXXX LLP
XXX XXXXX XXXXX, XXXXX XXXX
XXXXX, XXXXX XXXXX

Re: OCR Docket # 07132211

Dear XXXXX. XXXXX:

On April 9, 2013, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received this complaint against the Drury University (University), Springfield, Missouri, alleging discrimination on the basis of disability. This letter is to confirm the University has voluntarily submitted a Resolution Agreement (Agreement) to resolve this complaint.

Specifically, the complainant alleged the University discriminated against her by failing to provide her a prompt and equitable resolution to the complaint she filed through the University's established grievance procedures in November 2011.

OCR is responsible for enforcing Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 United States Code § 794, and its implementing regulation at 34 Code of Federal Regulations 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 University is subject to Section 504. 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 submitted a signed Agreement (copy enclosed) on (October 29, 2013), that, when fully implemented, will address the allegation in this complaint. The Agreement requires the University to: 1) revise its Notice of Nondiscrimination; 2) develop a grievance procedure that incorporates appropriate due process standards and that provides for the prompt and equitable resolution of complaints alleging discrimination, including disability-based discrimination; 3) train administrators and staff on the new grievance procedure; and 4) publish the new grievance procedure. Please consult the enclosed Agreement for further details.

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www.ed.gov

OCR considers the allegation of this complaint resolved effective the date of this letter and will monitor the University's implementation of the Agreement. When OCR concludes the University has fully implemented the terms of the Agreement, OCR will close the complaint. If the University fails to carry out the Agreement, OCR may resume the investigation.

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 have the right to file a private suit in federal court whether or not OCR finds a violation.

OCR is committed to prompt and effective service. If you have any questions, please contact XXXXX XXXXX, Equal Opportunity Specialist, at (816) 268-XXXX (voice) or (877) 521-2172 (telecommunications device for the deaf), or by email at XXXXX.XXXXX@ed.gov.

Sincerely,

/s/ Joshua Douglass

Joshua Douglass
Supervisory Attorney

Enclosure