

December 11, 2014

Chancellor Leo Morton
University of Missouri-Kansas City
301 Administrative Center
5100 Rockhill Road
Kansas City, Missouri 64110

Re: Docket # 07142210, 07142230, and
07142232

Dear Chancellor Morton:

On May 6, 2014, June 16, 2014, and June 17, 2014, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received the complaints referenced above against the University of Missouri-Kansas City (University), Kansas City, Missouri. This letter is to confirm the University has voluntarily submitted a Resolution Agreement (Agreement) to resolve the allegations of these complaints.

Specifically, in Docket # 07142210, the complainant alleged the University discriminated on the basis of disability when it would not allow the disabled students to present a constitution for a Disabled Students Council for approval by the student government association. In Docket # 07142230, the complainant alleged: 1) the University discriminated on the basis of disability by refusing to hear and approve a budget for the Disabled Students Council; and 2) the University retaliated against the complainant by refusing to hear and approve a budget for the Disabled Students Council. In Docket # 07142232, the complainant alleged: 1) the University discriminated on the basis of disability by refusing to provide office space for the Disabled Students Council; and 2) the University retaliated against the complainant for filing prior OCR complaints, when it refused to provide office space for the Disabled Students Council.

OCR is responsible for enforcing;

- Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 United States Code (U.S.C.) § 794, and its implementing regulation, 34 Code of Regulations (C.F.R.) Part 104. Section 504 prohibits discrimination on the basis of disability by recipients of Federal financial assistance. The Section 504 regulation at 34 C.F.R. § 104.61 incorporates by reference the prohibition on retaliation and intimidation for engaging in a protected activity found in the regulation implementing Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d, at 34 C.F.R. § 100.7(e).

- Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. § 12131, and its implementing regulation, 28 C.F.R. Part 35. Title II prohibits discrimination on the basis of disability by public entities. The regulation implementing Title II at 28 C.F.R. § 35.134 also prohibits retaliation.

As a recipient of Federal financial assistance from the U.S. Department of Education and a public entity, the University is subject to Section 504, Title II, and Title VI. 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 [date] that, when fully implemented, will address the allegations of these complaints.

OCR considers these complaints 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 complaints. If the University fails to carry out the Agreement, OCR may resume the investigation.

This letter sets forth OCR's determination in the OCR cases referenced above. 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, Attorney for Docket # 07142210, at (816) 268-XXXX (voice), (877) 521-2172 (telecommunications device for the deaf), or by email at XXXXX.XXXXX@ed.gov or XXXXX XXXXX, Attorney for Docket # 07142230 and 07142232, at (816) 268-XXXX (voice), (877) 521-2172 (telecommunications device for the deaf), or by email at XXXXX.XXXXX@ed.gov.

Sincerely,

Maria L. North
Supervisory Attorney

Enclosure

cc: XXXXX XXXXX, Counsel, and XXXXX XXXXX, EEO Investigator