

December 12, 2014

Jose Soto, Esq.
Vice President for Access/Equity/Diversity
Southeast Community College Area
301 South 68th Street Place
Lincoln, Nebraska 68510

Re: OCR Docket # 07142236

Dear Mr. Soto:

On June 25, 2014, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint against Southeast Community College (College), Lincoln, Nebraska, alleging discrimination on the basis of disability. This letter is to confirm that the College has voluntarily submitted a Resolution Agreement to OCR to resolve this complaint.

Specifically, the complainant alleged the College discriminated against her daughter on the basis of her disabilities (XXXXX, XXXXX, and XXXXX) by denying her daughter requested academic adjustments, including extended time for completing homework assignments, without making an individualized determination about the appropriateness of the requested academic adjustments and without working interactively with the complainant and her daughter to identify appropriate academic adjustments.

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 Federal Regulations (C.F.R.) Part 104. Section 504 prohibits discrimination on the basis of disability by recipients of Federal financial assistance (FFA).
- 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.

As a recipient of FFA from the Department and a public entity, the College is subject to Section 504 and Title II. 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 College submitted a signed Agreement (copy enclosed) on December 12, 2014 that, when fully implemented, will address the allegation in this complaint.

OCR considers this complaint resolved effective the date of this letter and will monitor the College's implementation of the Agreement. When OCR concludes the College has fully implemented the terms of the Agreement, OCR will close the complaint. If the College fails to carry out the Agreement, OCR may resume its 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, Attorney, at (816) 268-XXXX (voice) or (877) 521-2172 (telecommunications device for the deaf), or by e-mail at XXXXX.XXXXX@ed.gov.

Sincerely,

/s/ Karl Menninger

Karl Menninger
Supervisory Attorney

Enclosure