

February 29, 2016

XXXXX XXXXXX

Legal Counsel
University of Missouri – St. Louis
127 Woods Hall
One University Boulevard
St. Louis, Missouri 63121

Re: Docket # 071512271

Dear XXX. XXXXXX:

On September 3, 2015, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint alleging discrimination on the basis of disability by the University of Missouri-St. Louis (University), St. Louis, Missouri. This letter is to confirm the University has voluntarily submitted a Resolution Agreement (Agreement) to resolve this complaint.

The complainant alleged that the University discriminates against individuals with disabilities who use service animals by requiring the handler to adhere to requirements contained in the University's Policy on Service Animals (Policy) which are prohibited by the Americans with Disabilities Act. The Policy:

- 1) requires the handler to place some commonly recognized identification symbol on the service animal which identifies the animal as a service animal;
- 2) lists registration of the service animal with the Disability Access Services Office as a responsibility of the handler;
- 3) requires that the handler never allow the service animal to be more than 12 inches from the handler's leg or side of the chair; and,
- 4) requires that the handler ensure the service animal avoids personal grooming in public settings such as excessive scratching and licking itself.

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. 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 University 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>.

Summary of Investigation

OCR requested and received documentation from the University. OCR also received documentation from the Complainant and interviewed the Complainant.

Prior to the completion of OCR's investigation, the University submitted a signed Agreement (copy enclosed) on February 26, 2016, that, when fully implemented, will address the allegations of this complaint.

OCR considers the allegations 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 XXXXXX, Attorney, at (816) 268-XXXX (voice) or (877) 521-2172 (telecommunications device for the deaf), or by email at XXXXX.XXXXXX@ed.gov.

Sincerely,

Maria North
Supervisory Attorney

Enclosure