



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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September 12, 2019

SENT VIA EMAIL

Ashley Robinson, Associate General Counsel
University of Nebraska
3835 Holdrege Street
Lincoln, Nebraska 68583
arobinson@nebraska.edu

Re: University of Nebraska-Lincoln
OCR Case Number: 07-18-2136

Dear Ms. Robinson:

On September 7, 2018, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint against the University of Nebraska-Lincoln (University), Lincoln, Nebraska, alleging discrimination on the basis of disability. This letter is to confirm that the University has voluntarily submitted a Resolution Agreement (Agreement) to resolve this complaint.

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.

Prior to opening the complaint for investigation, OCR identified the complaint as appropriate for OCR's Rapid Resolution Process (RRP). On December 19, 2018, the University indicated an interest in engaging in RRP.

On September 10, 2019, the University signed an Agreement (copy attached) that, when fully implemented, will resolve the allegations of the complaint. To resolve the allegations, the

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

University has agreed to waive the Student's outstanding balance at the University. The Agreement also requires the University to conduct training for University staff members who work in the Office of Services for Students with Disabilities on the requirements of Section 504 in relation to providing XXXXX XXXXX XXXXX and other accommodations to students with XXXXX impairments. Please review the Agreement for further details.

OCR considers this complaint resolved effective the date of this letter. OCR 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.

Please be advised that the University must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR. If this happens, the individual may file a retaliation complaint with OCR.

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.

OCR is committed to prompt and effective service. If you have any questions, please contact Mordecai Simha, Attorney, at (816) 268-0546 (voice) or (877) 521-2172 (telecommunications device for the deaf), or by email at Mordecai.simha@ed.gov

Sincerely,

A handwritten signature in blue ink that reads "J. Earlene Gordon". The signature is written in a cursive, flowing style.

J. Earlene Gordon
Supervisory Attorney

Attachment