



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

50 BEALE ST., SUITE 7200
SAN FRANCISCO, CA 94105

REGION IX
CALIFORNIA

August 21, 2014

C. L. Max Nikias, Ph.D.
Office of the President
University of Southern California
Los Angeles, California 90089-4019

(In reply, please refer to case no. 09-13-2121.)

Dear President Nikias:

In a letter dated April 16, 2013, the U.S. Department of Education (Department), Office for Civil Rights (OCR) notified the University of Southern California (University) that OCR would begin investigation of a complaint alleging that the University engaged in discrimination based on disability. Specifically, the complaint alleged that the University did not provide necessary academic adjustments and auxiliary aids to a student with a disability, subjected the student to different treatment based on the student's disability, and subjected the student to retaliation for utilizing the University's discrimination grievance procedure.

OCR enforces Section 504 of the Rehabilitation Act of 1973 and its implementing regulation. Section 504 prohibits discrimination on the basis of disability in programs and activities operated by recipients of Federal financial assistance. The University receives Department funds, is a public education system, and is subject to the requirements of Section 504.

Under Article III, Section 302, of OCR's Case Processing Manual, a complaint may be resolved at any time before the conclusion of an investigation when the University expresses an interest in resolving the complaint. Prior to the completion of OCR's investigation, the University expressed an interest in resolving the complaint. During the course of the resolution process of this complaint, the University and student were able to remedy the student's individual claim and the student has been awarded a University degree. During its investigation of this case OCR noted some concerns with respect to the University's procedures for the resolution of student complaints alleging discrimination. However, OCR is currently conducting an investigation in another case (number 09132294) that includes a comprehensive review of the University's non-discrimination and harassment policies and related grievance procedures. OCR informed the University that it would review the aforementioned policies and procedures as part of the resolution of that case. On August 14, 2014, the University submitted a Resolution Agreement (Agreement) which, when implemented, will resolve the remaining allegations of this complaint. For this reason, OCR did not complete its investigation or reach findings or conclusions as to whether the University had failed to comply with Section 504.

OCR has determined that the University's commitments expressed in the enclosed Agreement, when implemented, will resolve the issues in this complaint and is closing this matter as of the date of this letter. The provisions of the Agreement are particular to the unique facts and circumstances of this case and should not be relied upon as the appropriate remedy for all such situations. OCR will monitor the

implementation of the enclosed Agreement and may reopen the investigation if the District does not implement the provisions of the Agreement.

This concludes OCR's consideration of the complaint and should not be interpreted to address the University's compliance with any other regulatory provision or to address any issues other than those addressed in this letter. 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.

Please be advised that the University may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the Complainant may file another complaint alleging such treatment. The complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

Under the Freedom of Information Act, it may be necessary to release this document and related records upon request. In the event that OCR receives such a request, it will seek to protect, to the extent provided by law, personal information that, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions, please contact Tammi Wong at (415) 486-5564.

Sincerely,

/s/

James M. Wood
Team Leader

Cc: Jody Shipper Executive Director, Office of Equity and Diversity