



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

915 2ND AVE., SUITE 3310
SEATTLE, WA 98174-1099

September 11, 2014

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Dr. Charles E. Schlimpert
President
Concordia University
2811 NE Holman Street
Portland, Oregon 97211

Re: Concordia University
OCR Reference No. 10142237

Dear Dr. Schlimpert:

This is to inform you that the U.S. Department of Education, Office for Civil Rights (OCR) is discontinuing its investigation of the above-referenced discrimination complaint against Concordia University. As explained below, prior to the completion of OCR's investigation, the university expressed an interest in voluntarily resolving the complaint and signed the enclosed Voluntary Resolution Agreement (agreement) to address the complaint allegations.

The complaint alleged that, during the 2013-2014 academic year, the university discriminated against a student, on the basis of disability, by (1) failing to provide closed-captioning support in his classroom, laboratory, and lecture hall settings; (2) failing to provide adequate classroom seating arrangements; and (3) failing to provide a note-taker.

OCR accepted this complaint for resolution under its authority to enforce section 504 of the Rehabilitation Act of 1973 and its implementing regulation at 34 C.F.R. Part 104. This statute prohibits discrimination on the basis of disability in programs and activities that receive federal financial assistance from the U.S. Department of Education. The university is a recipient of federal financial assistance from this Department and is subject to these regulations.

The regulation implementing Section 504 at 34 C.F.R. 104.43(a) provides, in part, that no qualified disabled student shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any academic or other postsecondary education aid, benefits, or services. The regulation at

34 C.F.R. 104.44(d) provides that a recipient will ensure that no qualified disabled student is denied the benefits of, or otherwise discriminated against because of the absence of educational auxiliary aids.

In accordance with Section 302 of the OCR *Case Processing Manual*, a complaint may be resolved at any time when, before the conclusion of an investigation, the recipient expresses an interest in resolving the complaint. In such a case, the provisions of an agreement to resolve the complaint must be aligned with the complaint allegations or any information obtained during the discontinued investigation and must be consistent with applicable regulations. In this case, the university requested to resolve the complaint prior to the conclusion of OCR's investigation. Subsequent discussions with the university resulted in the university signing the enclosed agreement.

The actions the university will take under the agreement include: (1) reviewing and revising, as necessary, its current disability-related policies, procedures and practices; (2) providing written notice to university administrators and staff of the university's disability-related policies, procedures and practices; (3) providing training to identified administrators and staff on their obligation to provide disabled students with academic adjustments and auxiliary aids and services as approved by the university; and (4) providing the student with closed-captioning support in classroom, laboratory, and lecture hall settings, a classroom chair that meets his disability-related needs, and a note-taker for the 2014-2015 school year.

OCR will monitor the implementation of the agreement and will close the complaint when OCR determines that the terms of the agreement have been satisfied. The first report under the agreement is due by October 1, 2014.

Thank you for the cooperation that you and your staff extended to OCR staff in resolving this complaint. If you have any questions, please feel free to contact Steve Riley, equal opportunity specialist, at (206) 607-1635, or at steven.m.riley@ed.gov.

Sincerely,

Kelli Lydon Medak
Team Leader

Enclosure