



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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

August 19, 2022

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Dr. Rebecca Johnson
Interim President
Oregon State University
pres.office@oregonstate.edu

Re: Oregon State University
OCR Reference No. 10202028

Dear Dr. Johnson:

This letter is to inform you of the disposition of the referenced complaint against Oregon State University with the U.S. Department of Education, Office for Civil Rights (OCR). The complainant alleged that the University discriminated against a student (the Student), on the basis of disability, from May - December 2019, by: (1) failing to provide the Student with accessible course materials in a consistent and timely manner; and (2) failing to provide the Student with effective reader services to access course materials that are otherwise inaccessible.

OCR investigated this case under the authority of Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (Title II). The regulation that implements Section 504, at 34 C.F.R. Part 104, prohibits discrimination on the basis of disability in programs and activities that receive federal financial assistance. The Title II implementing regulation, at 28 C.F.R. Part 35, prohibits discrimination on the basis of disability by public entities. The University receives financial assistance from the Department, is a public entity, and is required to comply with Section 504 and Title II.

As explained below, prior to completion of OCR's investigation, the University expressed an interest in voluntarily resolving the complaint and signed the enclosed agreement.

With respect to the allegations, the OCR investigation to date indicated that the University may not have provided the Student with accessible course materials and effective reader services to access course materials that are otherwise inaccessible in a consistent and timely manner.

Section 302 of OCR's *Case Processing Manual* (CPM) states that a complaint allegation may be resolved at any time when, prior to the conclusion of the investigation, a recipient expresses an interest in resolving the complaint allegation and OCR determines that it is appropriate to resolve the allegation with a voluntary resolution agreement. In this case, the University expressed interest in voluntarily resolving the allegations. Subsequent discussions with the University resulted in the University signing the enclosed agreement.

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. This concludes OCR's investigation of the complaint. The complainant may have the right to file a private suit in federal court regardless of OCR's determination.

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 individual may file a complaint alleging such treatment.

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 will monitor the implementation of the agreement and will close the complaint when OCR determines that the terms of the agreement have been satisfied. Under the agreement, the University's first report to OCR is due by October 15, 2022.

Thank you for the University's cooperation in the resolution of this complaint. If you have any questions, please feel free to contact Steve Riley, the OCR staff member assigned to this complaint. You can contact Mr. Riley at (206) 607-1635, or at steven.m.riley@ed.gov.

Sincerely,

Paul Goodwin
Supervisory Attorney

Enclosure