



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

400 MARYLAND AVENUE, SW
WASHINGTON, DC 20202-1475

REGION XI
NORTH CAROLINA
SOUTH CAROLINA
VIRGINIA
WASHINGTON, D.C.

December 11, 2014

Dr. James Lyons
Interim President
University of the District of Columbia
4200 Connecticut Avenue Northwest
Washington, District of Columbia 20008

Re: OCR Complaint Number 11-14-2305
Resolution Letter

Dear Dr. Lyons:

This is to notify you of the outcome of the above-referenced complaints received by the District of Columbia Enforcement Office of the Office for Civil Rights (OCR), within the U.S. Department of Education (the Department), on July 15, 2014. The Complainant filed this complaint against the University of the District of Columbia (University). The Complainant alleged she was discriminated against based on her disability when the University XXXX. Additionally, the Complainant claimed that the University failed to respond to the Student's requests for XXXX accommodations.

OCR enforces Section 504 of the Rehabilitation Act of 1973 (Section 504) and its implementing regulation at 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability in programs and activities that receive Federal financial assistance from the Department. OCR also enforces Title II of the Americans with Disabilities Act of 1990 (Title II) and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination against qualified individuals with disabilities by public entities, including public education systems and institutions, regardless of whether they receive Federal financial assistance from the Department. Because the University receives Federal financial assistance from the Department and is a public entity, OCR has jurisdiction over it pursuant to Section 504 and Title II.

Section 504 and Title II require colleges and universities prohibit discrimination based on disability and to provide reasonable accommodations to XXXX who request accommodations based on disability. Prior to submitting data for this complaint and OCR conducting one interview, the University expressed an interest in resolving the complaint prior to the completion of OCR's investigation. Pursuant to Section 302 of OCR's Case Processing Manual, OCR discussed resolution options with the University. On December 5, 2014, the University signed a voluntary resolution agreement (copy enclosed), which, when fully implemented, will resolve all of the allegations raised in the complaints. The provisions of the agreement are aligned with the allegations raised in the complaints and information obtained during the course of OCR's

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investigation and are consistent with the applicable regulations. OCR has notified the Complainant of the voluntary resolution agreement and we will monitor implementation of the agreement.

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 may not retaliate against an individual who asserts a right or privilege under a law enforced by OCR or who files a complaint, testifies, or participates in an OCR proceeding. 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. If OCR receives such a request, we will seek to protect personally identifiable information that could reasonably be expected to constitute an unwarranted invasion of personal privacy if released, to the extent provided by law.

We appreciate the University's cooperation in the resolution of this complaint, in particular, Smruti Radkar, Associate General Counsel & University Ethics Officer. If you have any questions regarding this letter or the complaint, please contact the attorney assigned to these complaints: Judith Risch at (202) 453-5929 or via e-mail at Judith.Risch@OCR.gov.

Sincerely,

/S/

Dale Rhines
Acting Team Leader, Team IV
Office for Civil Rights
District of Columbia Office

Enclosure

cc: Smruti Radkar, Associate General Counsel & University Ethics Officer