



**UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS**

500 WEST MADISON ST., SUITE 1475  
CHICAGO, IL 60661-4544

**REGION V**  
ILLINOIS  
INDIANA  
IOWA  
MINNESOTA  
NORTH DAKOTA  
WISCONSIN

January 7, 2016

Dr. XXXXXXXXXXXX  
XXXXXXXXXX  
University of Illinois at Chicago  
414 Administrative Office Building, XXXXX  
1737 W. Polk Street  
Chicago, IL 60612

Re: OCR Docket # 05-15-2491

Dear Dr. XXXXXXXX:

The U.S. Department of Education (Department), Office for Civil Rights (OCR) has completed its investigation of the complaint filed against the University of Illinois at Chicago (University or UIC) XXXXXXXXXXXX alleging discrimination on the basis of disability and retaliation. Specifically, the complaint alleged that:

1. The University subjected the Complainant, a XXXXXXX student in the University's College of XXXXXXX (College), to discrimination based on disability (XXXXXX, XXXXXXXXXXX and XXXXXXX) when the College's XXXXXXX Director gave the Complainant a grade of "Unsatisfactory" in his XXXXXXX Clerkship on XXXXXXX, 2015.<sup>1</sup>
2. The University retaliated against the Complainant on XXXXXXX, 2015 when the XXXXXXXXXXX Director filed a XXXXXXX complaint against the Complainant because he filed a XXXXXXX, 2015 XXXXX grievance alleging disability discrimination with respect to his XXXXXXX Clerkship grade.<sup>2</sup>

OCR enforces Section 504 of the Rehabilitation Act of 1973, 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. OCR also enforces Title II of the Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12131-12134, and its implementing regulation, 28 C.F.R. Part 35. Title II prohibits discrimination on the basis of disability by public entities. Both laws also prohibit retaliation. As a recipient of Federal financial assistance from the Department and as a public entity, the University is subject to

<sup>1</sup> During subsequent interviews with OCR, the Complainant clarified that the disability discrimination allegation was premised not only on what occurred during the XXXXXXX Clerkship, but also during the grievance and appeals process because the decision makers either ignored or minimized his disabilities.

<sup>2</sup> The Complainant subsequently clarified that he also alleges that the University retaliated against him for his grievance and grade appeal when negative comments regarding his XXXXXXX Clerkship were placed in his XXXXXXXXXXX Evaluation (XXXXXX).

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

these laws. Additional information about the laws OCR enforces can be found at [www.ed.gov/ocr](http://www.ed.gov/ocr).

As part of its investigation, OCR reviewed documentation provided by the Complainant and the University, and interviewed the Complainant, another medical student, and College staff. Prior to the conclusion of OCR's investigation into the Complainant's allegation that the University retaliated against him when the XXXXXXXX Director filed a XXXXXXXX complaint against him, the University requested to resolve that specific allegation. The provisions of the enclosed resolution agreement are aligned with this allegation and consistent with the applicable regulations.

Based on a review of the evidence with respect to the remaining allegations, OCR has determined that there is insufficient evidence to establish that the University discriminated against the Complainant based on his disabilities or retaliated against him by including negative comments in his XXXXXXXX Evaluation (XXXXXX). The basis for OCR's determinations are set forth below.

## **Background**

### **Relevant University Policies and Procedures**

#### *Notice of Non-Discrimination*

The University's Notice of Non-Discrimination, which is available on-line on the University's Office for Access and Equity's (OAE) webpage<sup>3</sup> and the University's Disability Resource Center's webpage,<sup>4</sup> states in relevant part:

The University of Illinois will not engage in discrimination or harassment against any person because of ..., disability, ... and will comply with all federal and state nondiscrimination, equal opportunity and affirmative action laws, orders and regulations. This nondiscrimination policy applies to admissions, employment, access to and treatment in the University programs and activities.

OCR was unable to locate the University's Notice of Non-Discrimination on the College of XXXXXXX's website,<sup>5</sup> either explicitly or by reference to other University webpages.<sup>6</sup>

---

<sup>3</sup> <http://oae.uic.edu/docs/Nondiscrimination%20Statement%202006-10.pdf>

<sup>4</sup> <http://drc.uic.edu/uic-nondiscrimination-statement/>

<sup>5</sup> <http://XXXXXX.uic.edu/studentpolicies>

<sup>6</sup> OCR provided the University with technical assistance on the information it is required to include in its Notice of Nondiscrimination.

***Procedures for Requesting and Receiving Academic Adjustments***

The University’s College of XXXXXXXX has published “Procedures for Student Disability Accommodation Requests” (Procedures), which apply to students with disabilities who wish to request academic adjustments or program modifications. The Procedures are available on the XXX’s website.<sup>7</sup> Pursuant to the Procedures, a student who seeks academic adjustments or program modifications must complete a “Student Disability and Accommodations Request Form” and provide documentation that supports the requested academic adjustment or modification. The completed Request Form and documentation must be submitted to the Chair of the XXX’s Disability Accommodations Committee “at least one month in advance of the date of the requested accommodation.”

The Procedures describe the process the Committee will follow to determine whether a student is eligible for academic adjustments or modifications and what specific academic adjustments or modifications should be implemented. The Procedures also provide a formal grievance process to appeal the Committee’s decision for students who are denied requested academic adjustments or modifications.

***Guidelines on Prohibited Retaliation***

Pursuant to University policy:

University employees are prohibited from retaliating against any employee or student who brought a claim of discrimination, participated in an investigation, proceeding or hearing concerning a claim of discrimination, or who in good faith has opposed a practice he or she reasonably believes constitutes prohibited discrimination.

...

The University does not tolerate retaliation. Claims of retaliation should be brought and will be investigated under the University’s regular procedures for making a claim of discrimination as set forth in the policy or policies prohibiting discrimination and harassment.

The University’s Guidelines are available on the OAE webpage.<sup>8</sup> OCR was unable to locate the University’s Guidelines on Prohibited Retaliation on the XXX website.

---

<sup>7</sup> [http://XXXXXX.uic.edu/UserFiles/Servers/Server\\_442934/File/OSA/Policy%20and%20Procedures/COM%20ADA%20Committee%20Procedures.pdf](http://XXXXXX.uic.edu/UserFiles/Servers/Server_442934/File/OSA/Policy%20and%20Procedures/COM%20ADA%20Committee%20Procedures.pdf)

<sup>8</sup> <http://oae.uic.edu/docs/Guidelines%20on%20Prohibited%20Retaliation.pdf>

### ***Grievance Procedures for Complaints of Discrimination***<sup>9</sup>

The University's Student Academic Grievance Procedures state that students must file a grade grievance with the Administrative Officer<sup>10</sup> within 60 days from the time of the decision being grieved. Students are expected to attempt to resolve their complaints informally, which includes a discussion of the complaint with the Administrative Officer, within this 60-day period. In the event students allege unlawful discrimination, the Administrative Officer must inform the University's OAE that a Grievance has been filed. The University's Academic Grievance Procedures state that the University Guidelines on Grievance Procedures for Complaints of Discrimination included under Appendix A are considered to be part of the Student Academic Grievance Procedures, and that in the event the Guidelines and the Procedures conflict, the Guidelines will govern. These Guidelines state in relevant part, that "If a complaint cannot be satisfactorily resolved through an informal process, the complainant may reduce the matter to writing and file it promptly as a formal grievance."

#### **Facts**

The Complainant is currently a XXXXX year XXXXX student at the College of XXXXXX. From XXXXXXX to XXXXXXX 2014, during his XXXXXXX year of XXXXX school, the Complainant was enrolled in a XXXXXXX Clerkship.

On XXXXXXX, 2015, the XXXXXXX Director (XXXX Director) informed the Complainant by e-mail that he received a grade of "Unsatisfactory" in his XXXXX Clerkship. In her e-mail, the XXXXX Director explained that the Complainant earned that grade because he had, among other things, "XXXXX information in the XXXX Journal." The Complainant met with the XXXXX Director to discuss his grade, and on XXXXXXX, 2015 the XXXXX Director sent him another email confirming their meeting and explaining that he could file a formal grievance if he did not agree with his final grade in the XXXXX Clerkship.

#### ***Disability Discrimination***

The Complainant alleges that he was discriminated against based on his disabilities during his XXXXXXX Clerkship. The Complainant further alleges that the University failed to consider his disabilities throughout the grievance and appeals process in which he contested his XXXXXXX Clerkship grade.

---

<sup>9</sup> [http://dos.uic.edu/docs/FINAL\\_VERSION\\_STUDENT\\_PROCEDURES.pdf](http://dos.uic.edu/docs/FINAL_VERSION_STUDENT_PROCEDURES.pdf)

<sup>10</sup> The "Administrative Officer" is defined as "the person to whom the Respondent [the person who made the decision being grieved] reports or other person designated by the unit/college/department to serve in that role."

*Alleged disability discrimination during the XXXXXX Clerkship*

It is undisputed that prior to his XXXX 2014 XXXXXX Clerkship, the only academic adjustments or program modifications the Complainant had requested from the University was that he be allowed to do all of his XXXXXX rotations in one XXXXXX as a modification for his XXXXXXXX. This request was approved by the XXXXX's Disability Accommodations Committee on XXXXXX, 2014. The Complainant did not request other academic adjustments or program modifications for his disabilities before or during his XXXXXX Clerkship. According to the Complainant, he did not request further academic adjustments or program modifications before or during his XXXXXX Clerkship because he did not expect his disabilities would affect his performance during the clerkship as they did.

The Complainant provided no other information in support of his assertion that he was subjected to disability discrimination during his XXXXXX Clerkship.

*Failure to consider the effects of the Complainant's disabilities during the grievance and appeals process*

On XXXXXX, 2015, the Complainant grieved his XXXXXXXX Clerkship grade to the XXXXXX Officer (XX). In his grievance, the Complainant asserted that the "Unsatisfactory" grade he received in his XXXXXX Clerkship was based in part on errors and inconsistencies in recording entries in his XXXXXX Journal, and attributed those errors and inconsistencies to an unexpected exacerbation of the effects of his disabilities.

On XXXXXXXX, 2015, the XX upheld the Complainant's "Unsatisfactory" grade. The XX's decision did not address the Complainant's assertion that the errors and inconsistencies in his XXXXX Journal were attributable to his disabilities, or otherwise acknowledge his claim that his XXXXXX Clerkship grade was based on circumstances related to his disabilities.

The Complainant appealed the XX's decision on XXXXXX, 2015 to the XXXXX Officer (XX) for the CXX. On XXXXXX, 2015, the XX upheld the Complainant's XXXXX Clerkship grade. The XX's decision addressed the Complainant's argument that his disabilities impacted how he documented his activities during the XXXXXX Clerkship, but concluded that the College had granted all academic adjustments and program modifications that the Complainant had requested and that he was responsible for documenting his activities "with or without accommodation for [his] disabilities." In addition, the XX stated in his decision that to the extent the Complainant feels his "inability to recall, organize and record information resulted from a disability or disabilities that should be accommodated," he should request academic adjustments or program modifications to address the effects of his disabilities before repeating the XXXXXX Clerkship.

The Complainant timely appealed the XX's decision and requested a hearing on his grievance. His request was granted, and a hearing was held on XXXXX, 2015. On XXXXX,

2015 the Hearing Officer (HO) issued findings in which he upheld the Complainant's XXXXXX Clerkship grade and recommended that the Complainant repeat the XXXXXX Clerkship. The XX's findings addressed the Complainant's argument that the deficiencies in his documentation during the XXXXXX Clerkship were caused by his disabilities. The XX concluded, however, that the Complainant "never informed any of the XXXXXXXX on the clerkship of his disabilities and how each was impacting his work," did not seek academic adjustments or program modifications for his disabilities, and only mentioned his disabilities and need for academic adjustments or program modifications after he was informed of his grade in the XXXXXX Clerkship.

The Complainant was informed of the XX's findings on XXXXXXXX, 2015, when the XX sent him his final decision upholding his grade in his XXXXXX Clerkship. In his final decision, the XX acknowledged Complainant's disabilities and how they potentially affected Complainant's performance during the clerkship. However, the XX concluded that the Complainant did not inform anyone within the clerkship, the XXXXXXXX, or the XXXXXXXX Center of his concerns or needs during the XXXXXX Clerkship. The XX also stated that "[d]isability accommodations are not provided retrospectively, such that [his] performance assessments and documentation of clerkship activities during the clerkship cannot now be reconsidered on this basis."

In mid-July 2015, the Complainant appealed his XXXXXX Clerkship grade to the University XXXXXX. In his appeal to the XXXXXXXX, the Complainant alleged not only disability discrimination, but for the first time also alleged that the XXXXXX Director retaliated against him when she filed a XXXXXXXX Complaint against him in XXXX 2015. The XXXXXXXX issued a decision on XXXXXXXX, 2015 upholding the XX's final decision regarding the Complainant's grade and finding no evidence of unlawful discrimination or retaliation. In his letter, the Chancellor stated that the University provided the Complainant with all the academic adjustments and program modifications that he had requested up until that point<sup>11</sup> and that he had not made other requests to accommodate his disabilities.

### ***Alleged Retaliation by the Clerkship Director***

The Complainant reported to OCR that on XXXXXX, 2015, he had a meeting with the XXXXXXXXXXXX for the College of Medicine (XXXX XXXX) and that during that meeting the XXXXXXXX informed him that the XXXXXX Director filed a XXXXXXXX Complaint against him on XXXXXXXX, 2015. According to the Complainant, the basis for the XXXXXXXX Complaint was the XXXXXXXX Director's assertion that the Complainant forged signatures and evaluations during his XXXXXXXX Clerkship. The Complainant asserts that the XXXXXX Director filed the XXXXXXXX Complaint in retaliation for the XXXXXXXX grievance he had filed challenging his "Unsatisfactory" grade in the XXXXXX Clerkship, in which he asserted that errors leading up to his grade were in part the result of an exacerbation of the effects of his disabilities. On XXXXXXXX, 2015, in considering whether to pursue an early resolution of

---

<sup>11</sup> The Chancellor concluded the Complainant had requested on April 22, 2014 that all of his clerkship XXXXXX be held at a single site and that this request was granted.

the Complainant's OCR complaint, the College agreed to withdraw the XXXXXX Complaint against the Complainant. The Complainant confirmed that the College withdrew the XXXXXX Complaint against him.

The Complainant further asserts that the College included information on his XXXXXXXXXXXX Evaluation (XXXX) referencing accusations of dishonesty in his XXXXXX Clerkship. According to the Complainant, the College included this negative information in his XXXX in retaliation for the Complainant's internal grievance. The Complainant asserts that he was harmed as a result of the negative information included in his XXXX, which is sent to all of the XXXXXX programs to which he applied.

OCR interviewed the XXXX XXXXXX XX XXXXX who explained that the negative comments contained in the XXXXX clerkship section of the Complainant's XXXX were taken directly from the grade that the Complainant received on XXXXX, 2015, in his XXXXX Clerkship. These comments, which were drafted by the XXXXX Director, were contained in the XXXX's Registrar Portal. The Portal contains the comments for each of the Complainant's clerkships. These comments are automatically uploaded into the XXXX by a computer system. The XXXXX XXXXX of XXXXXX explained that the only changes made to the comments transferred from the Portal to the XXXX are changes to correct grammatical errors. The XXXXX XXX further noted that the only way to change comments for a Clerkship would be to successfully challenge the grade earned in the Clerkship through a grade appeal or grievance. The XXXX XXXX of Students confirmed that the comments placed in the Complainant's XXXX were created on XXXXXX, 2015, and transferred automatically some time beginning in XXXX 2015, when the XXXX prepared XXXXs for each student.

## **Legal Standards**

In an educational setting, Section 504 and its implementing regulation generally provide the same or greater protection than Title II and its implementing regulation. Where, as in this case, Title II does not offer greater protection than Section 504, OCR applies Section 504 standards.

### ***Disability Discrimination***

The Section 504 implementing regulation at 34 C.F.R. § 104.4(a) provides that no qualified person with a disability shall, on the basis of disability, be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any program or activity which receives or benefits from Federal financial assistance. The Title II implementing regulation at 28 C.F.R. § 35.130(a), provides that no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.

### *Academic Adjustments*

The Section 504 implementing regulation at 34 C.F.R. § 104.44(a) requires a recipient to make such modifications to its academic requirements as are necessary to ensure that such requirements do not discriminate or have the effect of discriminating, on the basis of disability, against a qualified student with a disability. Modifications may include changes in the length of time permitted for the completion of degree requirements, substitution of specific courses required for the completion of degree requirements, and adaptation of the manner in which specific courses are conducted. The Section 504 implementing regulation at 34 C.F.R. § 104.44(d), further requires a recipient to take such steps as are necessary to ensure that persons with disabilities are not denied the benefits of, excluded from participation in, or otherwise subjected to discrimination because of the absence of academic adjustments.

Under the applicable regulations, recipients may require a student to follow reasonable procedures to request and document the need for academic adjustments, including modifications to policies, practices, and procedures. In postsecondary settings generally, if a student with a disability believes that he or she needs an academic adjustment and/or other modification, the student has the obligation to identify him or herself as having a disability and to request the provision of academic adjustments. If the request for an academic adjustment is not initially granted, the student and the recipient are expected to engage in an interactive process to determine what, if any, academic adjustments will be made, and the appropriate scope of the academic adjustments. Under the applicable regulations, in determining what academic adjustments are necessary, a recipient shall give primary consideration to the request of the individual with disabilities.

Although students may request academic adjustments at any time, students needing services should notify the institution as early as possible to ensure that the institution has enough time to review their request and provide an appropriate academic adjustment. It may be too late to correct the problem if the student waits until the course or activity is completed, and recipients are not required to provide students with retroactive academic adjustments.

### ***Retaliation***

The Section 504 implementing regulation, at 34 C.F.R. § 104.61, incorporates by reference the regulation implementing Title VI of the Civil Rights Act of 1964, at 34 C.F.R. § 100.7(e), which prohibits a recipient or other person from intimidating, threatening, coercing, or discriminating against any individual because he or she made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding or hearing under the regulation.

A *prima facie* case of retaliation is established when it is determined that (1) an individual engaged in a protected activity (opposed a discriminatory policy, asserted protected rights, or participated in an OCR complaint or proceeding); (2) the recipient knew of this activity; (3) the recipient took an adverse action contemporaneous with or subsequent to the protected



activity; and (4) there is an inferable causal connection between the protected activity and the adverse action. To be considered adverse, an action must significantly disadvantage an individual or reasonably deter an individual from engaging in future protected activities.

If one of the elements cannot be established, OCR finds insufficient evidence of a violation. If all of the elements of a *prima facie* case of retaliation are met, OCR then considers whether the recipient presented a legitimate, non-retaliatory justification for taking the adverse action, and whether the reason is a pretext for retaliation. Pretext may be shown by evidence demonstrating that the explanation for the adverse action is not credible or believable or that treatment of the person was inconsistent with the treatment of similarly situated individuals or established policy or practice.

## **Analysis and Findings**

### ***Allegation #1--Disability Discrimination***

OCR finds insufficient evidence that the Complainant was discriminated against based on his disabilities either during the XXXXX Clerkship or throughout the University's grievance and appeals process.

The preponderance of the evidence establishes that although the Complainant had requested as an academic adjustment permission to complete each of his XXXXX rotations in one XXXXXXXX, a request that the University granted on XXXXXX, 2014, he did not request any other academic adjustments or program modifications, formally or otherwise, before or during his XXXXX Clerkship, and did not inform anyone within the Clerkship that his disabilities were affecting his performance. Under the applicable regulations, the University can require the Complainant to follow its procedures to request academic adjustments, and it was incumbent on the Complainant to know those procedures and request all the academic adjustments he thought he needed. OCR determined that the Complainant, who knew how to request academic adjustments, failed to request them for his XXXXXX Clerkship. Only after receiving an "Unsatisfactory" grade in his XXXXX Clerkship did the Complainant request academic adjustments; however, the University was not required to provide him with retroactive academic adjustments or program modifications.

With respect to the allegation that throughout the Complainant's grievance and appeal process, the University failed to consider whether his XXXXXX Clerkship grade was the result of his disabilities, here too OCR finds insufficient evidence of disability discrimination. OCR thoroughly reviewed the records created by University officials throughout the grievance and appeal process, and determined that all but one of the decision makers acknowledged the Complainant's claim that his performance during the XXXXX Clerkship and his subsequent grade were the result of an exacerbation in the effects of his disabilities, which he had not anticipated. Although the XX did not take note of this claim in her initial determination, each subsequent reviewer did take this claim into account and each came to the same conclusion – that the Complainant's XXXXX Clerkship grade was upheld

because the Complainant had not requested academic adjustments for his XXXXX Clerkship or informed anyone he was experiencing difficulty because of his disabilities until after he was awarded an “Unsatisfactory” grade during the XXXXXX Clerkship.

For all of the above reasons, and considering all of the information obtained in this case, OCR has determined there is insufficient evidence from which to conclude the Complainant was discriminated against on the basis of disability in violation of Section 504 or Title II as alleged, and has closed this allegation effective the date of this letter.

### ***Allegation #2--Retaliation***

#### *Professionalism complaint*

OCR finds that the Complainant engaged in protected conduct when he filed his internal grievances and appeals in XXXXX and XXXXX 2015 challenging his grade in the XXXX Clerkship and asserting that his unsatisfactory performance was due to an exacerbation of the effects of his disabilities, which the University did not address through academic adjustments or program modifications. The evidence further establishes that by the time the XXXXXX Director filed her Professionalism complaint against the Complainant on XXXXXX, 2015, which was an adverse action, the University and the XXXXXX Director were aware of Complainant’s protected conduct. Accordingly, a *prima facie* case of retaliation exists.

On XXXXXX, 2015, the University informed OCR that it had withdrawn the XXXXX Director’s XXXXXX complaint against the Complainant. The Complainant subsequently confirmed that the XXXXXX Complaint against him had been withdrawn. The University further asked to resolve this allegation with a voluntary resolution agreement pursuant to Section 302 of the *Case Processing Manual*.

The University signed the enclosed resolution agreement (Agreement), the provisions of which are aligned with this allegation and consistent with the applicable regulations. Under the terms of the Agreement the University agrees to do the following: (1) publicize its Notice of Nondiscrimination and Prohibition against Retaliation on the College of XXXXXX’s webpage; (2) provide training on the University’s guidelines prohibiting retaliation to all XXXXX at the XXX, including but not limited to the Complainant’s XXXXX Director; and (3) provide documentation confirming that it has withdrawn the XXXXX, 2015 XXXXXX Complaint filed by the XXXXXX Director against the Complainant. OCR looks forward to receiving the University’s first monitoring report, which is due by XXXXXXXX, 2016.

#### *Negative comments in the Complainant’s XXXX*

As noted above, OCR determined that the Complainant engaged in protected conduct when he filed his internal grievances in XXXX and XXXX 2015, asserting, among other things, that the “Unsatisfactory” grade he earned in his XXXXX Clerkship was due to an exacerbation of the effects of his disabilities. Furthermore, by including references to acts of

alleged dishonesty in the Complainant's XXX, the University has subjected him to an adverse action as the XXX, which is provided to prospective employers and residency programs, contains negative information about the Complainant's performance and character.

Next OCR considered whether there was a causal connection between the Complainant's protected conduct and the negative information contained in his XXXX. OCR determined that the negative comments contained in the Complainant's XXXX were generated on XXXX, 2015, when the Complainant's XXXX Clerkship grade was included in the Registrar's Portal. Those comments, which were automatically uploaded into the Complainant's XXXX, predate his XXXX and XXXX 2015 grievances and appeals. Additionally, the comments, which cannot be changed or removed from the Registrar's Portal unless successfully contested through a grade appeal or grievance, are only subject to correction for grammatical errors after they are uploaded to the XXXX. Accordingly, OCR has determined that the adverse act about which the Complainant complains – the inclusion of negative comments from his XXXXX Clerkship grade in his XXXX – in fact predates the Complainant's protected conduct. Accordingly, OCR is unable to infer a causal connection between the Complainant's internal grievances and the comments contained in his XXXX. Therefore, the Complainant has failed to establish a *prima facie* case of retaliation, and OCR has closed this allegation effective the date of this letter.

This concludes OCR's investigation 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. The Complainant may file a private suit in federal court whether or not OCR found a violation.

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 or any individual who assisted in this investigation may file another complaint alleging such treatment.

Additionally, 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 wishes to thank you and your staff for the courtesy and cooperation shown throughout our investigation of this complaint. Specifically, we thank Mr. XXXXX XXXXXX, XXXXX Coordinator, for his assistance in resolving this complaint. If you have any questions regarding this letter, please contact Mr. Alonzo Rivas, Attorney at (312) 730-1684 or Alonzo.Rivas@ed.gov

Sincerely,

Aleeza Strubel  
Supervisor Attorney

cc: XXXXX XXXXX, XXXX XXXXX Coordinator