
Office for Civil Rights Discrimination Complaint Form: Submission #742488

1. Enter information about yourself

First Name: (b)(6);

Last Name: (b)(6);

Address: (b)(6); (b)(7)(A);

City: (b)(6)

State: (b)(6);

Zip Code: (b)(6);

Best Time to Call You: Day

Primary Phone Number: (b)(6);

Alternative Phone Number: {Empty}

Your Email Address: (b)(6); (b)(7)(A); (b)(7)(C)

2. Who else can we call if we cannot reach you?

Contact's Name: {Empty}

Daytime Phone Number: {Empty}

Relationship to you: {Empty}

3. Who was discriminated against?

Yourself or Someone else Myself?

If someone other than yourself please include:

Injured Person's Name: {Empty}

Daytime Phone Number: {Empty}

Evening Phone Number: {Empty}

Relationship to You
(eg. son or daughter) {Empty}

Injured Person's Address: {Empty}

City: {Empty}

State: {Empty}

Zip Code: {Empty}

4. What institution discriminated?

Institution Name: Indiana University - Bloomington

Address: 107 S. Indiana Avenue

City: Bloomington

State: Indiana

Zip Code: 47405

School or department involved: Equity/Accessibility

5. Have you tried to resolve the complaint through the institution's grievance process, due process hearing, or with another agency?

Have you tried to resolve the complaint? Yes

Agency Name: Accessibility Office

Date Filed

(MM/DD/YYYY): Wed, (b)(6); - 00:00

If yes, what is the current status of the complaint? Complaints disappear. It's a scavenger hunt trying to do a Title IX report or get accommodations for antisemitism

6. Describe the discrimination

OCR enforces regulations that prohibit discrimination on the basis of race, color, national origin; sex; disability; and/or age.

(You may select more than one.)

On what basis were you discriminated against? disability, sex, age, Boy Scouts Equal Access Act

In the space provided below please describe each discriminatory action separately. For each action, you need to provide the following information: I contacted the IT Hekpdesk, Accessibility, and Equity offices to report Title IX of the Education Amendments of 1972, get accommodations for antisemitism, and request reasonable accommodations for my disability. So far I haven't received any acknowledgments or accommodations, and at one point (b)(6); (b)(7)(A); (b)(7)(C)

(b)(6);
(b)(7)(A);

Do you have written information that you think will help us understand your complaint?

yes or no Yes

7. Your complaint must be filed within 180 days of the discriminatory action

The laws that we enforce require that complaints be filed with our office within 180 days of the alleged discriminatory event. If any of the alleged discriminatory actions took place more than 180 days before the postmark or receipt date of this complaint, you may request a waiver of the 180-day limit. When did the last act of discrimination occur?

When did the last act of discrimination occur?

Enter the date: Wed, (b)(6); - 00:00

Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than 180 days before the filing of this complaint?

Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than 180 days before the filing of this complaint?

yes or no No

Reason for not filing complaint before 180 days: {Empty}

8. What would you like the institution to do as a result of your complaint?

What remedy are you seeking? Acknowledgment of Reasonable Accommodations
Standard student email as an accommodation for Title VI of the Civil Rights Act of 1964 (antisemitism)
Register a Report filing under Title IX of the Education Amendments of 1972 and receive a proper acknowledgment

9. Option to Participate in OCR's Early Mediation Process

I am interested in participating in early mediation: Yes



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

JOHN C. KLUCZYNSKI FEDERAL BUILDING
230 S. DEARBORN STREET, 37TH FLOOR
CHICAGO, IL 60604

REGION V
ILLINOIS
INDIANA
IOWA
MINNESOTA
NORTH DAKOTA
WISCONSIN

October 21, 2024

Dr. Pamela Whitten
President
Sent via email only to: iupres@iu.edu

Re: OCR Docket #05-24-2449

Dear Dr. Whitten:

The U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint on June 27, 2024, filed against Indiana University (University) alleging discrimination on the basis of disability.

Specifically, the complaint alleges that the University discriminated against a student (Student A) on the basis of disability in (b)(6); (b)(7)(A); when it did not provide him the academic adjustment of (b)(6); (b)(7)(A); (b)(7)(C)

OCR enforces Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, and Title II of the Americans with Disabilities Act of 1990 (Title II), 42 U.S.C. §§ 12131-12134, and its implementing regulation at 28 C.F.R. Part 35, which prohibit discrimination on the basis of disability in a program or activity operated by a recipient of federal financial assistance from the Department and by public entities, respectively. As a recipient of federal financial assistance from the Department and a public entity, the University is subject to these laws. Additional information about the laws OCR enforces is available on [OCR's website](#).

OCR is opening an investigation into the complaint allegation. OCR will investigate the following issue:

- Whether the University discriminated against Student A on the basis of disability by failing to provide academic adjustments in violation of Section 504 at 34 CFR § 104.44 and Title II at 28 CFR § 35.130.

Please understand that opening an investigation does not mean that OCR has made a decision about the complaint. During the investigation, OCR is neutral; OCR will collect and analyze the evidence it needs in order to make a decision about the complaint.

When appropriate, a complaint may be resolved when, prior to the point when OCR completes its investigation, the recipient expresses an interest in resolving the complaint. In such cases, a resolution agreement signed by the recipient and submitted to OCR must address all of the allegations that OCR determines are appropriate to resolve before the conclusion of an investigation. Information about this is in the enclosure to this letter.

Please read the enclosed document, which includes information about:

- OCR’s complaint processing procedures;
- Regulatory prohibitions against retaliation and intimidation of persons who file complaints with OCR or participate in an OCR investigation; and
- Application of the Freedom of Information Act and the Privacy Act to OCR investigations.

OCR intends to conduct a prompt investigation of this complaint. The regulation implementing Title VI of the Civil Rights Act of 1964 at 34 C.F.R. § 100.6(b) and (c), requires that a recipient of federal financial assistance make available to OCR information that may be pertinent to a compliance determination. This requirement is incorporated by reference in the Section 504 implementing regulation at 34 C.F.R. § 104.61. Under the Title II regulation at 28 C.F.R. § 35.171(a)(3), OCR uses its Section 504 procedures to investigate Title II complaints. Pursuant to 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii), of the regulation implementing the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, OCR may review personally identifiable records without regard to considerations of privacy or confidentiality.

Accordingly, please provide the following information to OCR within fifteen (15) calendar days. OCR will provide such flexibility as is reasonable in response to a request for an extension of time within which to provide the requested data. Wherever possible, please provide the requested information in electronic format. If responsive data are available through the Internet, please provide the link to the data. Please do not provide OCR documentation or electronic information containing social security numbers (SSN); if SSN appear on a document or file that is otherwise responsive to OCR’s request, please redact the SSN before producing to OCR. Further, it would be helpful if the pages in your response are numbered.

1. A narrative response to the complaint allegation with supporting documentation.
2. A copy of the University’s policies prohibiting discrimination on the basis of disability and its grievance procedures for complaints of discrimination based on disability.
3. A copy of the University’s policies and procedures regarding requests for and implementation of academic adjustments and how students are notified of these procedures.
4. The complete Accessible Educational Services file for Student A (b)(6); (b)(7)(A); (b)(7)(C).
5. If not included in the response to item #4, a copy of all documentation related to Student A’s request for (b)(6); (b)(7)(A); (b)(7)(C)
(b)(6); (b)(7)(A); (b)(7)(C)
6. If not included in the responses to the above items, a copy of all other documentation in the University’s possession relevant to the allegation in this complaint

Thank you for your cooperation in this matter. To ensure that OCR can assess the recipient's compliance with the statutory and regulatory obligations at issue in this investigation, please ensure that recipient employees preserve the data and documents requested above for any timeframe specified in these requests and going forward until OCR closes this case. Please also ensure that recipient employees preserve other data and documents that are relevant to the allegation under investigation until OCR closes this case. In addition to the information requested above, OCR may need to request additional information and interview pertinent personnel. If an on-site visit is necessary, we will work to schedule a mutually convenient time for the visit.

We would like to talk with the University's contact person as soon as possible to discuss the processing of this complaint.

OCR is committed to prompt and effective service. If you have any questions regarding this letter, please contact Stephanie Bogdan by email at stephanie.bogdan@ed.gov.

Sincerely

(b)(6); (b)(7)(A); (b)(7)(C)

Jeffrey Turnbull
Team Leader

Enclosure

cc: Taylor Strube (sent via email only to tljenney@iu.edu)