



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS
32 OLD SLIP, 26TH FLOOR
NEW YORK, NEW YORK 10005

TIMOTHY C. J. BLANCHARD
DIRECTOR
NEW YORK OFFICE

June 30, 2016

Dr. W. Hubert Keen
President
State University of New York, Farmingdale State College
2350 Broadway Road
Farmingdale, NY 11735

Re: Case No. 02-16-2163
State University of New York, Farmingdale State College

Dear Dr. Keen:

This letter is to notify you that the U.S. Department of Education, New York Office for Civil Rights (OCR) is closing the above-referenced complaint filed against State University of New York, Farmingdale State College (the College). The complainant alleged that the professor of his (b)(6); (b)(7)(C) course discriminated against him, on the basis of his disability, by failing to provide him with a (b)(6); (b)(7)(C) as an approved academic adjustment, during the fall 2015 semester.

On June 23, 2016, the complainant and the College entered into an early complaint resolution (ECR) agreement (signed copy attached) that resolves the allegation in the complaint. Accordingly, OCR will take no further action with respect to the complaint, and has closed it as of the date of this letter.

Please be advised that OCR is not a party to, nor does it monitor, ECR agreements. Additionally, a breach of the ECR agreement, in and of itself, is not a breach of the regulations enforced by OCR. However, should the College fail to implement the enclosed ECR agreement, the complainant may file another complaint with OCR. To be considered timely, the new complaint must be filed either within 180 days of the date of the original discrimination, or within 60 days of the date the complainant obtains information that a breach occurred, whichever date is later.

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 College 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 may file another 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, it will seek to protect, to the extent provided by law, personally identifiable information that, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions regarding this matter, please contact Michael Goldberg, Senior Compliance Team Investigator, at (646) 428-3817 or Michael.Goldberg@ed.gov; or Marykate O'Neil, Compliance Team Attorney, at (646) 428-3814 or MaryKate.ONeil@ed.gov.

Sincerely,

(b)(6)

Emmy Frangos
Compliance Team Leader

Encl

cc: Christine LaPlace, Esq.