

BEFORE THE HUMAN RIGHTS COMMISSION
OF THE STATE OF MONTANA

CHRIS SIEFKE,)
)
 Charging Party,)
)
 v.)
)
 FLATHEAD VALLEY COMMUNITY,)
 COLLEGE,)
)
 Respondent.)

CASE NO. 0004009347

ORDER AFFIRMING DISMISSAL

The above-captioned matter came before the Montana Human Rights Commission (Commission) on March 19, 2001. The matter was before the Commission for consideration of the Charging Party's objection to the dismissal of the complaint. Oral argument was not requested and the matter was considered on the record.

After reviewing the record, the Commission finds that the Human Rights Bureau properly dismissed the matter. The Investigator found that Charging Party, who is dyslexic, and who has difficulties with memory retention, reading comprehension and basic writing skills, was disabled and that he requested an accommodation. However, the record supports the Investigator's finding that Respondent provided educational services to accommodate Charging Party, such as taping reading assignments, providing tutors, etc. although Charging Party did not always take advantage of these accommodations. The Investigator did not abuse her discretion when she concluded that there was no reasonable cause to find that Respondent discriminated against Charging Party on account of his disability, or that it refused to accommodate him. *24.9.1714(3), ARM*. Accordingly, the notice of dismissal and notice of right to file civil action in district court must be affirmed.

IT IS HEREBY ORDERED, that the Charging Party's objection is unanimously overruled and the notice of dismissal is affirmed.

Dated this __ day of March, 2001.

Gloria "Patt" Etchart, Chair
Montana Human Rights Commission

CERTIFICATE OF SERVICE

The undersigned employee of the Human Rights Bureau certifies that a true copy of the foregoing **ORDER AFFIRMING DISMISSAL** was served on the following persons by U. S. Mail, postage prepaid on the _____ day of March, 2001.

CHRIS SEIFKE
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LIBBY, MT 59923

MIKE DAHLEM
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Farah Davidson, Human Rights Bureau