



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

THE WANAMAKER BUILDING, SUITE 515
100 PENN SQUARE EAST
PHILADELPHIA, PA 19107-3323

REGION III
DELAWARE
KENTUCKY
MARYLAND
PENNSYLVANIA
WEST VIRGINIA

September 29, 2014

IN RESPONSE, PLEASE REFER TO: 03-14-2241

Dr. Suzanne Shipley
President
Shepherd University
P.O. Box 5000
Shepherdstown, WV 25443-5000

Dear Dr. Shipley:

This is to notify you of the resolution of the complaint filed with the U.S. Department of Education (Department), Office for Civil Rights (OCR), against Shepherd University (the University). xx. xxxxxx xxxxxx (the Complainant) alleged that the University discriminated against him on the bases of xxxxxxxx xxxxxx and xxx. Specifically, the Complainant alleged that the University failed to address xxx xxxxxxxx x, xxxx xxxxxxxx xx xxx xxxxxxxxxxxxxx xxx xxxxxxxxxxx xxxxx xx xxxxxxxx xxxxxx.

OCR enforces:

- Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, and its implementing regulation, 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any education program or activity operated by a recipient of Federal financial assistance.
- Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, and its implementing regulation, 34 C.F.R. Part 100 (Title VI), which prohibit discrimination on the basis of race, color or national origin by recipients of Federal financial assistance.

As a recipient of Federal financial assistance from the Department, the University is subject to these laws.

Under OCR procedures, a complaint may be resolved before the conclusion of an investigation if a recipient asks to resolve the complaint by signing a Voluntary Resolution Agreement. The provisions of the agreement must be aligned with the information obtained during the investigation and be consistent with applicable regulations. Such a request does not constitute an admission of liability on the part of a recipient, nor does it constitute a determination by OCR of any violation of our regulations.

Consistent with OCR's procedures, the University requested to resolve the complaint through a Voluntary Resolution Agreement (the Agreement), which was executed by the University on September 26, 2014. A copy of the signed Agreement is enclosed. As is our standard practice,

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

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OCR will monitor the University's implementation of the Agreement. Accordingly, OCR is concluding its investigation of these allegations as of the date of this letter.

This letter is not intended nor should it be construed to cover any other issues regarding the University's compliance with Title VI and Title IX, which may exist and are not discussed herein. The Complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

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.

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 may file another complaint alleging such treatment.

Thank you for your cooperation in this matter. If you have any questions, please feel free to contact Cynthia Wesley at (215) 656-8548 or by email at cynthia.wesley@ed.gov.

Sincerely,

/s/

Rhasheda S. Douglas
Team Leader

Enclosure