



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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December 9, 2014

Dr. Charlita Shelton  
President  
University of the Rockies  
555 East Pikes Peak Ave  
Colorado Springs, CO 80903-3612

Re: University of the Rockies  
OCR Case Number: 08-14-2195

Dear Dr. Shelton:

We completed our investigation of the above-referenced complaint filed on May 7, 2014, against the University of the Rockies. The Complainant alleges that the University failed to adequately respond to the Student's complaint of sexual harassment and retaliated against the Student for her complaint by delaying her dissertation and PhD.

We began investigating the complaint pursuant to Title IX of the Education Amendments of 1972 and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in education programs and activities that receive Federal financial assistance from the Department; and Individuals filing a complaint, participating in an investigation, or asserting a right under Title IX are protected from intimidation or retaliation by 34 C.F.R. § 106.71, which incorporates 34 C.F.R. § 100.7(e). As a recipient of Federal financial assistance from the Department, the University is subject to this law and regulation.

During the course of processing this complaint, the University indicated its desire to voluntarily enter into an agreement to resolve the allegations and compliance concerns raised pursuant to Section 302 of the *Case Processing Manual (CPM)*. We reviewed this request and determined that it justified entering into an agreement without completing a full investigation.

We received a signed Resolution Agreement which is enclosed. When the Agreement is fully implemented, the allegations and compliance concerns will be resolved consistent with the requirements of Title IX and its implementing regulation. OCR will monitor implementation of the Agreement through periodic reports demonstrating the terms of the Agreement have been fulfilled. We will provide written notice of any deficiencies regarding the implementation of the terms of the Agreement and will promptly require actions to address such deficiencies. If the University fails to implement the Agreement, we will take appropriate action, as described in the Agreement. Additionally, on December 9, 2014 you participated in an early complaint resolution (ECR) meeting to reach agreement regarding individual remedies for the Student. The general terms of the ECR are reflected in Agreement Term 9.

We thank the University for voluntarily entering into an Agreement to resolve the issues raised in this complaint. This concludes OCR's investigation of the complaint and should not be interpreted

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to address the University's compliance with any other regulatory provision or to address any issues other than those addressed in this letter. The case is now in the monitoring phase. The monitoring phase of the case will be completed when OCR determines that the University has fulfilled all of the terms of the Agreement. When the monitoring phase of the case is complete, OCR will close Case Number 08-14-2195 and will send a letter to the University, copied to the Complainant, stating that the case is closed.

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.

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. In addition, 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. If OCR receives such a request, we will protect personal information to the extent provided by law.

Thank you for the courtesy and cooperation extended to us throughout the investigation. If you have any questions about this letter, you may contact Heidi Kutcher at 303-844-4572 or me at 303-844-6083.

Sincerely,

/s/

Angela Martinez-Gonzalez  
Supervisory Attorney Advisor

cc: Lori Trufemok  
Counsel for University