



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS, REGION I
5 POST OFFICE SQUARE, 8th FLOOR
BOSTON, MASSACHUSETTS 02109-3921

March 23, 2018

Mr. James Liponis
President
Northeast Technical Institute
51 US-1 #K
Scarborough, ME 04074

By email: jliponis@ntinow.edu

Re: Complaint No. 01-16-2150
Northeast Technical Institute

Dear President Liponis:

This letter is to advise you of the outcome of the complaint that the U.S. Department of Education (Department), Office for Civil Rights (OCR) received against Northeast Technical Institute (the Institute). The Complainant, a former student of the Institute, alleges that the Institute discriminated against her based on sex. Specifically, the Complainant alleges that the Institute failed to promptly and equitably respond to her complaint that she was sexually harassed by one of her instructors in August 2016. As explained further below, before OCR completed its investigation, the Institute expressed a willingness to resolve the complaint by taking the steps set out in the enclosed Resolution Agreement (Agreement).

OCR enforces Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681 et seq., and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in programs and activities receiving federal financial assistance from the U.S. Department of Education. The Institute is subject to Title IX because it receives federal financial assistance from the U.S. Department of Education.

Prior to the conclusion of OCR's investigation and pursuant to Section 302 of OCR's *Case Processing Manual*, the Institute expressed an interest in resolving this complaint. Subsequent discussions between OCR and the Institute resulted in the Institute signing the enclosed Agreement which, when fully implemented, will address all of the allegations raised in the complaint. OCR will monitor the Institute's implementation of the Agreement.

This concludes OCR's investigation of the complaint. This letter should not be interpreted to address the Institute's compliance with any other regulatory provision or to address any issues other than those addressed in this letter. 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.

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

Please be advised that the Institute must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR. If this happens, the individual may file a retaliation complaint with OCR.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, we will seek to protect personally identifiable information that could reasonably be expected to constitute an unwarranted invasion of personal privacy if released, to the extent provided by law.

If you have any questions, you may contact OCR Senior Investigator at (617) 289-0036 or by e-mail at Mary-Anne.Khoulani@ed.gov .

Sincerely,

Ramzi Ajami
Compliance Team Leader

Enclosure

cc: Rick Finberg, Esq. (by email: rfinberg@thebennettlawfirm.com)