

March 22, 2018

Sister Mary Eileen O'Brien, O.P., Ph.D.
President
Dominican College
470 Western Highway
Orangeburg, New York 10962

Re: Case No. 02-17-2605
Dominican College

Dear President O'Brien:

This letter is to advise you of the resolution of the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), against Dominican College (the College). The complainant alleged that the College discriminated on the basis of race, by xxxxxxxxxxxxxxxxx to use race as a factor in the recruitment of players for the women's basketball team in November 2016.

OCR is responsible for enforcing Title VI of the Civil Rights Act of 1964 (Title VI), as amended, 42 U.S.C. §§ 2000d *et seq.*, and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin in programs and activities receiving financial assistance from the U.S. Department of Education (the Department). The College is a recipient of financial assistance from the Department. Therefore, OCR has jurisdictional authority to investigate this complaint under Title VI.

The regulation implementing Title VI, at 34 C.F.R. § 100.3(a), provides that no person shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives Federal financial assistance.

During the course of OCR's investigation, the College expressed its interest in entering into an agreement with OCR to voluntarily resolve the complainant's allegation under Section 302 of OCR's Case Processing Manual. On March 6, 2018, the College signed the attached resolution agreement (Agreement) to voluntarily resolve the complainant's allegation. OCR will monitor the implementation of the Agreement. When fully implemented, the Agreement will address the complainant's allegation. Upon the College's satisfaction of the commitments made under the Agreement, OCR will close the case.

This letter should not be interpreted to address the College'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 a 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 individual may file a 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 OCR's determination, please contact Jocelyn Panicali, Senior Compliance Team Attorney, at (646) 428-3796 or jocelyn.panicali@ed.gov; Lance Neyland, Compliance Team Attorney, at (646) 428-3824 or lance.neyland@ed.gov; or Nadja Allen Gill, Compliance Team Leader, at (646) 428-3801 or nadja.r.allen.gill@ed.gov.

Sincerely,

/s/ _____

Timothy C.J. Blanchard

Encl.

cc: XXXXXXXXXXXXXXXXXXXX