



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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REGION III
DELAWARE
KENTUCKY
MARYLAND
PENNSYLVANIA
WEST VIRGINIA

December 20, 2013

IN RESPONSE, PLEASE REFER TO: 03-12-1217

Terry Holliday, Ph.D
Commissioner of Education
Kentucky Department of Education
500 Mero Street, 1st Floor CPT
Frankfort, KY 40601

Dear Dr. Holliday:

This is to notify you of the resolution of the above-referenced complaint filed with the U.S. Department of Education (Department), Office for Civil Rights (OCR), against Kentucky Department of Education (KDE) alleging discrimination on the basis of sex. The Complainant alleges that KDE discriminates against females by:

1. failing to have a Title IX coordinator; and
2. failing to adopt or publish Title IX grievance procedures.

OCR enforces Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681, and its implementing regulation, 34 C.F.R. Part 106. Title IX prohibits discrimination on the basis of sex in any education program or activity operated by a recipient of Federal financial assistance.

As a recipient of Federal financial assistance from the Department, KDE is subject to Title IX and its implementing regulation. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

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 Resolution Agreement. The provisions of the Resolution Agreement must be aligned with the complaint allegations and be consistent with applicable regulations. Such a request does not constitute an admission of a violation on the part of KDE or the Kentucky High School Athletic Association (KHSAA), nor does it constitute a determination by OCR of any violation of our regulations.

Consistent with OCR's procedures, KDE and KHSAA requested to resolve the complaint through a Resolution Agreement. On July 11, 2013 and December 20, 2013,

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respectively, KDE and KHSAA signed this Agreement. As is our standard practice, OCR will monitor KDE and KHSAA's implementation of the Agreement, copies of which are enclosed. Accordingly, OCR is concluding its investigation of these allegations and closing this complaint as of the date of this letter.

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 KDE and KHSAA 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.

If you have any questions or concerns about our determination, please call me at (215) 656-8522.

Sincerely,

/s/

Vicki Piel
Team Leader

Enclosures

Cc: Ms. Lisa Lang
Assistant General Counsel, KDE

Mr. Chad Collins
General Counsel, KHSAA