



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

June 27, 2014

**IN RESPONSE, PLEASE REFER TO: 03141102**

Dr. Stephen D. Butz  
Superintendent  
Southeast Delco School District  
1560 Delmar Drive  
Folcroft, PA 19032

Dear Dr. Butz:

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 the Southeast Delco School District (the District). The Complainant, XXXXXXXX XXXX, alleges that the District discriminated against XXX XXXXXXXX, XXXX XXXXXXXX (the Student), on the basis of XXX by:

1. Giving X XXXX athlete X XXXXXXXX XXXX on XXX XXXXXXXXXXXX XXXX XX XXXXXXXX XXXX, rather than the Student, who XXXXXXXX XXXXXXXXXXXX XXXX XXXXXXXXXXXX;
2. Giving X XXXX XXXXXXXX X XXXXXXXX XXXX XX XXX XXXXXXXXXXXX XXXX XX XXXXXXXX XXXX, rather than the Student, who was XXXX XXXXXXXXXXXXXX XXX XXXX XXXXXXXX;
3. Giving the Student X XXXXXXXX XXX XXXXXX XX XXXXXX that were XXX XXXXXX XXX XXX XX XXXXXXXXXXXX XXXX;
4. Not allowing the Student to XXXXXXXX XXXXXXXX XX XXXXXXXX XXX XXXXXX;
5. Choosing other XXXX XXXXXXXXXXX XXX X XXXXXXXXXXX XX XXXX XXXXXX, instead of the Student, who was XXXXX XXXXXXXXXXXXXXXX;
6. Choosing a XXXXX XXXXXXXX XXX X XXXXXXXXXXX XXXXXXXXXXXX XX XXXXXXXX XX XXXX, instead of the Student, who was XXX XXXX XXXXXXX XXX XXXX XXXXXXXXXXXXXXXX XXX
7. Making the Student XXXXXXXX XXXX XXX X XXXXXXX XX XXXXXXX XX XXXXXXXXXXXX XX XXXXXXXXXXX XXX XXXX, XXXX XXX XXXXXX XXX XXX XXXXXXXX X XXXXXXXXXXXX XXXXXXXXXXX XXXX XXXXXXXX XX XXXXXXXX XXX XXX X XXXX.

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. Title IX prohibits discrimination on the basis of sex in any education program or activity operated by a recipient of Federal financial assistance. Title IX also prohibits retaliation. Because the District receives Federal financial assistance from the Department, it 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 complaint allegations or 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.

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

Consistent with OCR's procedures, the District requested to resolve the complaint through a Voluntary Resolution Agreement (the Agreement), which was executed by the District on June 24, 2014. A copy of the signed Agreement is enclosed. As is our standard practice, OCR will monitor the District's implementation of the Agreement.

Accordingly, OCR is concluding its investigation of these allegations and closing this complaint as of the date of this letter. This letter is not intended nor should it be construed to cover any other issues regarding the District's compliance with Section 504 and Title II, 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 District 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, you 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 Equal Opportunity Specialist Stephen Shalet at 215-656-8585, or by email at [stephen.shalet@ed.gov](mailto:stephen.shalet@ed.gov), or Amy Niedzalkoski, Team Attorney, at (215) 656-8571, or by email at [Amy.niedzalkoski@ed.gov](mailto:Amy.niedzalkoski@ed.gov).

Sincerely,

/S/

Beth Gellman-Beer  
Team Leader  
Philadelphia Office

Enclosure