



**UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS**

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February 3, 2023

Mr. Andrew Klein
Interim Chancellor
Indiana University-Purdue University Indianapolis
Sent via email only to: chancellor@iupui.edu

RE: OCR Docket #05-22-2314

Dear Mr. Klein:

This is to advise you of the resolution of the above-referenced complaint filed with the U.S. Department of Education (Department), Office for Civil Rights (OCR), against Indiana University-Purdue University Indianapolis (University). The complaint alleged that the University discriminates against males and non-blacks by operating the Girls STEM Institute (GSI), a program that empowers Black girls to explore STEM.

OCR is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681–1688, 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 from the Department. OCR also enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d – 2000d-7, and its implementing regulation, 34 C.F.R. Part 100. Title VI prohibits discrimination on the basis of race, color, or national origin in any education program or activity operated by a recipient of Federal financial assistance from the Department. As a recipient of Federal financial assistance from the Department, the University is subject to the requirements of Title IX and Title VI.

As part of its investigation, OCR reviewed documentation provided by the Complainant and the University. Prior to the completion of OCR's investigation, the University expressed interest in resolving the complaint allegation and OCR determined it was appropriate to do so with an agreement pursuant to Section 302 of the *Case Processing Manual* (CPM).

The regulation implementing Title IX, at 34 C.F.R. § 106.31(a), states that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity operated by a recipient. The regulation implementing Title IX, at 34 C.F.R. § 106.31(b)(6), states, in part, "in providing any aid, benefit, or service to a student, a recipient shall not, on the basis of sex ... aid or perpetuate discrimination against any person by providing significant assistance to any agency, organization, or person which discriminates on the basis of sex in providing any aid, benefit or service to students or employees." The regulation implementing Title VI at 34 C.F.R. § 100.3 (a), states that no person shall, on the ground of race be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination. The regulation implementing Title VI at

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

34 C.F.R. § 100.3 (b)(1)(i) states, in part, that a recipient may not, directly or through contractual or other arrangements, on ground of race deny an individual any service or other benefit.

During the investigation, OCR examined whether the University provides significant assistance to the GSI. Information on the University's website and information obtained by OCR regarding the GSI showed that a University professor founded the GSI, other University employees assist in administering GSI programs, the GSI's administrative offices are on the University campus, the GSI conducts its programs at the University, and the University actively fundraises for the GSI.

The University asserted that all GSI programs are open to all students, regardless of sex and/or race. This included material indicating that males and non-black students participated in the GSI Summer Institute during the time relevant to the complaint. However, OCR noted language in website material for the GSI Summer Institute, a program with limited availability, suggesting that race and sex are factors in determining participants, specifically referencing only "girls of color" throughout its website materials. Prior to the completion of OCR's investigation, the University signed the enclosed Agreement to resolve OCR's compliance concerns regarding the issue. OCR will monitor the University's implementation of the Agreement.

This concludes OCR's complaint processing. 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.

OCR would like to make you aware that individuals who file complaints with OCR may have the right to file a private suit in federal court whether or not OCR finds a violation.

It is also important for you to understand that the laws OCR enforces prohibit the University from harassing, coercing, intimidating, or discriminating against any individual because the individual filed a complaint or participated in the complaint resolution process. If this happens, the individual may file a complaint against the University with OCR 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, 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.

I wish to thank you and your staff for the cooperation extended to OCR during the investigation of this complaint. In particular, OCR appreciates the assistance of Ms. Amelia Ann Marvel, University Counsel, in resolving this complaint. If you have any questions regarding this letter, please contact Miguel Figueras, via email at Miguel.Figueras@ed.gov or by phone, 202-987-1346.

Sincerely,

Jeffrey Turnbull
Team Leader

Enclosure

cc: Amelia Ann Marvel (sent by email only to aamarvel@iu.edu)