



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

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April 24, 2023

Joan T.A. Gabel
President
University of Minnesota–Twin Cities
100 Church Street Southeast
Minneapolis, Minnesota 55455-0422
Transmitted by email only to: upres@umn.edu

OCR Docket #05-22-2335

Dear President Gabel:

This is to inform you of the resolution of the above-referenced complaint filed with the U.S. Department of Education (Department), Office for Civil Rights (OCR), against the University of Minnesota – Twin Cities (University). The complaint alleged that the University discriminates against male University medical school students on the basis of sex by nominating only female students for the Alpha Epsilon Iota Foundation Award (Award).

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. As a recipient of federal financial assistance from the Department, the University is subject to the requirements of Title IX.

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. § 106.37(a), states that in providing financial assistance to any of its students, a recipient shall not on the basis of sex, limit eligibility for such assistance which is of any particular type or source, apply different criteria, or otherwise discriminate. A recipient also shall not through solicitation, listing, approval, provision of facilities or other services, assist any foundation, trust, agency, organization, or person which provides assistance to any of such recipient's students in a manner which discriminates on the basis of sex.

OCR's investigation raised concerns that the University's medical school nominated potential Award recipients based on criterion that included a sex limitation. The University signed the enclosed Resolution Agreement (Agreement) to resolve OCR's compliance concerns regarding

the issue in this complaint. When fully implemented, the Agreement will address the evidence obtained and all of the allegations investigated. OCR will monitor the University's implementation of the Agreement until the University is in compliance with the terms of the agreement and the statute and regulation at issue in the case.

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.

The complainant may have the right to file a private suit in federal court whether or not OCR finds a violation. 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. Carrie Ryan-Gallia, University Counsel, in resolving this complaint. OCR looks forward to working with the University during the monitoring of the Agreement. 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,

Melissa Katt
Supervisory Attorney

Enclosure

Cc: Carrie Ryan Gallia (*sent by email only to: ryang001@umn.edu*)