



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

1999 BRYAN ST., SUITE 1620  
DALLAS, TX 75201-6810

REGION VI  
ARKANSAS  
LOUISIANA  
MISSISSIPPI  
TEXAS

December 14, 2018

**VIA MAIL**  
**VIA EMAIL (XXXX)**

Michael A. Fitts, President  
Tulane University  
6823 St. Charles Ave.  
New Orleans, LA 70118

Re: OCR Complaint No. 06-18-2230

Dear President Fitts:

This letter is to notify you that the U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office, has completed its processing of the above-referenced complaint for resolution. On June 18, 2018, OCR received the complaint, which the complainant filed against Tulane University (University), in New Orleans, Louisiana. The complainant alleged that the University discriminates against men on the basis of sex.

OCR is responsible for determining whether entities that receive or benefit from Federal financial assistance, either from the Department or from an agency that has delegated investigative authority to the Department, are in compliance with Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681, and its implementing regulations at 34 C.F.R. Part 106, which prohibit discrimination based on sex. OCR has confirmed that the University is a recipient of Federal financial assistance from the Department. Therefore, OCR has jurisdiction to investigate this complaint under Title IX.

Based on the complainant's allegations, OCR investigated the following legal issues:

1. Whether the University treated male students differently on the basis of sex by providing different amounts or types of financial assistance, limiting eligibility for financial assistance, applying different criteria for financial assistance, or otherwise discriminating in the provision of financial assistance on the basis of sex from December 20, 2017, to the present, in violation of Title IX, at 34 C.F.R. § 106.37; and
2. Whether the University treated men differently on the basis of sex in the context of an educational program or activity without a legitimate, nondiscriminatory reason and thereby interfered with or limited their ability to participate in or benefit from the services, activities, or privileges provided by the University from December 20, 2017, to the present, in violation of Title IX, at 34 C.F.R. § 106.31.

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

Prior to the completion of an investigation, the University informed OCR that it was interested in resolving the complaint allegations through a voluntary resolution agreement. Section 302 of OCR's *Case Processing Manual* provides that a complaint may be resolved at any time when, prior to the conclusion of an investigation, the recipient expresses an interest in resolving the allegations. The provisions of the resulting voluntary resolution agreement will be aligned with the complaint allegations or the information obtained during the investigation and will be consistent with applicable regulations. OCR approved the University's request to resolve the complaint prior to the conclusion of an investigation.

The University voluntarily submitted the enclosed Resolution Agreement (Agreement) to resolve this complaint; the University's representative signed the Agreement on December 14, 2018. OCR has determined the provisions of the Agreement are aligned with the complaint allegations and appropriately resolve them. Further, OCR accepts the Agreement as an assurance that the University will fulfill its obligations under Title IX with respect to this complaint. The dates for implementation and specific actions are detailed in the enclosed Agreement. Accordingly, as of the date of this letter, OCR will cease all investigative actions regarding this complaint. However, OCR will actively monitor the University's implementation of the Agreement. Please be advised that if the University fails to adhere to the actions outlined in the Agreement, OCR will immediately resume its compliance efforts.

This letter sets forth OCR's determination in the individual OCR cases identified above. 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.

Please be advised that the University 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.

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.

Thank you for the cooperation extended to OCR in our efforts to resolve this complaint. If you have any questions regarding this letter, please contact Katherine Fearn, the attorney assigned to the matter, at (214) 661-9653 or katherine.fearn@ed.gov. You may also contact me at (214) 661-9600.

Sincerely,

/s/

Paul Coxe  
Team Leader Attorney  
Office for Civil Rights  
Dallas Office

Enclosure

cc: XXXX XXXX XXXX XXXX, XXXX XXXX XXXX  
(XXXX)