

June 12, 2014

XXXXXX XXXXX, Associate Vice Chancellor  
XXXXXX, XXXXX  
Missouri University of Science and Technology  
113 Centennial Hall  
300 West 12<sup>th</sup> Street  
Rolla, Missouri 65409

Re: OCR Docket # 07112069

Dear XXXXX XXXXX:

On May 9, 2011, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint against the Missouri University of Science and Technology (University), Rolla, Missouri, alleging discrimination on the basis of sex and retaliation. This letter is to confirm that the University has voluntarily submitted a Resolution Agreement (Agreement) to resolve the complaint.

Specifically, the complainant alleged the University:

1. discriminates against female students at the University on the basis of sex by failing to adequately address the sexual harassment of female students by University employees and students;
2. discriminates against female students at the University on the basis of sex, particularly in the Computer Science Department, by allowing male professors and male students to make comments and engage in behaviors that exclude female students from the learning environment and from school-related activities and student groups; and
3. retaliated against her after she complained about sex discrimination, including sexual harassment by a XXXXX, by dropping her work-study job, repeatedly asking her to provide proof that she was being sexually harassed or discriminated against, blocking her access to her desktop profile and other campus software necessary for her to do her coursework, and advising her to leave the University if she did not like the way she was being treated.

OCR is responsible for enforcing:

- Title IX of the Education Amendments of 1972 (Title IX), 20 United States Code (U.S.C.) § 1681, and its implementing regulation, 34 Code of Federal Regulations (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 (FFA); and
- Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d, and its implementing regulation, 34 C.F.R. Part 100. Title VI prohibits discrimination on the basis of race, color, or national origin by recipients of FFA. The Title VI regulation at 34 C.F.R. § 100.7(e) prohibits recipients of FFA from intimidating or retaliating against individuals who engage in an activity protected under Title VI, including complaining of discrimination or harassment or participating in an OCR investigation. The Title IX regulation at 34 C.F.R. § 106.71 incorporates by reference the Title VI regulation prohibiting retaliation.

As a recipient of FFA from the Department, the University is subject to Title IX and the regulations prohibiting retaliation. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

Prior to the completion of OCR's investigation, the University submitted a signed Agreement (copy enclosed) on June 11, 2014 that, when fully implemented, will address the allegations of this complaint.

OCR considers the allegations of this complaint resolved effective the date of this letter and will monitor the University's implementation of the Agreement.<sup>1</sup> When OCR concludes the University has fully implemented the terms of the Agreement, OCR will close the complaint. If the University fails to carry out the Agreement, OCR may resume its investigation.

This letter sets forth OCR's determination in an individual OCR case. 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

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<sup>1</sup> As was discussed with you during a May 22, 2014 telephone call, OCR has received a new Title IX complaint against the University. OCR is going to conduct, under a new OCR docket number (XXXXXXXX), a comprehensive investigation into whether the University has failed to promptly and equitably respond to complaints, reports, and/or incidents of sexual harassment and sexual violence of which it has notice and, as a result, has subjected University students to a sexually hostile environment. OCR initiated this investigation on XXXXX XX, 2014. The investigation for OCR docket number XXXXXXXX will also address any general Title IX issues that may have been identified during the course of OCR's investigation of OCR docket number 07112069.

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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.

OCR is committed to prompt and effective service. If you have any questions, please contact XXXXX XXXXX, Attorney, at (816) 268-XXXX (voice) or (877) 521-2172 (telecommunications device for the deaf), or by e-mail at XXXXX.XXXXX@ed.gov.

Sincerely,

/s/ Kelli Douglas

Kelli Douglas  
Supervisory Attorney

Enclosure

cc: XXXXX XXXXX (via email)

Counsel, Office of the General Counsel, University of Missouri System