



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS -- REGION VII

September 9, 2014

XXXXX XXXXX
XXXXX XXXXX XXXXX
University of Nebraska
241 Varner Hall
3835 Holdrege Street, Post Office Box 830745
Lincoln, Nebraska 68583-0745

Re: OCR Docket # 07142002

Dear Ms. XXXXX:

On October 17, 2013, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint alleging discrimination based on sex and retaliation by the University of Nebraska at Omaha (University), Omaha, Nebraska. This letter is to confirm the University has voluntarily submitted a Resolution Agreement (Agreement) to resolve this complaint.

The complainant alleged the University:

1. failed to provide a prompt and equitable resolution to her sexual harassment complaint during the 2012-13 school year; and
2. retaliated against her by discontinuing the funding for her doctorate and sabotaging her admission to another program after she filed a complaint of sexual harassment with the University.

OCR is responsible for enforcing:

- Title IX of the Education Amendments of 1972, 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.
- 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. The Title VI regulation at 34 C.F.R. § 100.7(e) prohibits recipients of Federal financial assistance from intimidating or retaliating against individuals who engage in an activity protected under Title VI, including complaining of discrimination or harassment. The Title VI regulation prohibiting retaliation is incorporated, by reference, into the regulation implementing Title IX at 34 C.F.R. § 106.71.

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www.ed.gov

As a recipient of Federal financial assistance from the Department, the University is subject to Title IX and Title VI. Additional information about OCR and the laws we enforce 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 August 6, 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. 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 the 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 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, Equal Opportunity Specialist, at (816) 268-XXXX (voice) or (877) 521-2172 (telecommunications device for the deaf), or by email at XXXXX.XXXXX@ed.gov.

Sincerely,

/s/ Joshua Douglass

Joshua Douglass
Supervisory Attorney

Enclosure