



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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REGION VII
KANSAS
MISSOURI
NEBRASKA
OKLAHOMA
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February 21, 2018

Sent via electronic mail to: XXXX.XXXX@XXXX.XXX

XXXXXXXXXXXXXXXX, XXXXXXXX XXXXX XXXX
XXXXXXXX XXX XXXXXXXXXXX
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XXXXXXXX XXX
XXXXXXXX, XXXXXXXXXXX XXXXXXX

Re: University of Central Missouri
OCR Case Number: 07-17-2293

Dear XX XXXXXXXXXXX:

On August 3, 2017, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received the above complaint against the University of Central Missouri (University), Warrensburg, Missouri, alleging discrimination on the basis of sex. This letter is to confirm the University has voluntarily submitted a Resolution Agreement (Agreement) to resolve this complaint.

OCR is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681, 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 Title IX. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

In the remainder of this letter, Complainant is referred to as “the Complainant.” To protect individuals’ privacy, the names of employees, witnesses, and other parties also were not used in the letter.

OCR investigated whether the University discriminated against the Complainant on the basis of sex by denying him the opportunity to participate in the Rape Aggression Defense Systems (R.A.D.) course, in violation of the Title IX implementing regulation at 34 C.F.R. §106.34(a).

During its investigation, OCR reviewed information submitted by the Complainant, including correspondence with University staff. OCR also reviewed data submitted by the University

regarding the availability, offering, and enrollment of the R.A.D. courses, as well as interviewed the University's primary R.A.D. XXXXXXXX and XXXXXXXX.

Preliminary Information

The University, in one of its efforts to attempt to “protect and empower” its students and community members, offers free of charge, Rape Aggression Defense Systems (R.A.D.) self-defense courses. The University offers the following R.A.D. courses: R.A.D. for Women, R.A.D. for Men, and R.A.D. for Kids. The University also offers more advanced R.A.D. courses on occasion. The R.A.D. courses are not offered for academic credits. The courses are offered through the University's Department of Public Safety and instructed by six University employees certified in R.A.D. System instruction.

On July 31, 2017, the Complainant, a male Student at the University inquired into taking the R.A.D. courses, including the R.A.D. courses for women. The University explained to the Complainant that courses for women were limited to women. The Complainant then confirmed with the R.A.D. XXXXXXXX on August 7, 2017, that he would like to be enrolled in the fall 2017 men's course. On September 7, 2017, the R.A.D. XXXXXXXX informed complainant that the men's course was cancelled due to “low enrollment.”

The University informed OCR that despite many ongoing and continued efforts to garner interest in the men's course, due to low interest, the men's course has been held only once in the history of the program. The University explained that due to the importance of efficiently managing the Public Safety Office manpower and time, (many of the instructors are on-duty University police officers) and in the interest of campus safety, a policy was instituted that requires a minimum enrollment of six students for any of the R.A.D. courses.

Prior to the conclusion of the investigation, the University requested to resolve pursuant to Section 302 of the OCR *Case Processing Manual*.¹ Accordingly, the University submitted a signed Agreement (copy enclosed) on February 20, 2018, that, when fully implemented, will address the allegations of the complaint. The University agreed to: 1) hold the men's self-defense course at least once during the upcoming 2018 Spring semester; and 2) for all future offerings, advertise the men's course offering with proposed dates in a comparable fashion as that of the women's offerings.

OCR considers the 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 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 available to the public. The Complainant may have the right to file a private suit in federal court whether or

¹ The *Case Processing Manual* is available on OCR's website at <http://www.ed.gov/about/offices/list/ocr/docs/ocrcpm.html>.

not OCR finds a violation.

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, please be advised 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.

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

Sincerely,

A handwritten signature in blue ink that reads "Maria North". The signature is fluid and cursive, with the first name "Maria" and the last name "North" clearly legible.

Maria North
Program Manager
Acting Supervisory Attorney

Enclosure