



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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September 11, 2014

Dr. Jan L. Gehler - President  
Scottsdale Community College  
9000 East Chaparral Road  
Scottsdale, AZ 85256

Re: Scottsdale Community College  
Case number 08-14-2078

Dear Dr. Gehler:

On April 9, 2014, we notified the Scottsdale Community College (the College) that we were opening for investigation a complaint that alleged the College discriminated on the basis of sex. Specifically, the Complainant alleged that the College failed to provide female students with equal opportunity to play sports.

We initiated the investigation under the authority of Title IX of the Education Amendments of 1972 and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in education programs and activities that receive Federal financial assistance from the Department. As a recipient of Federal financial assistance from the Department, the College is subject to this law and regulation.

During the course of processing this complaint, the College indicated its desire to voluntarily enter into an agreement to resolve the allegation pursuant to Section 302 of the *Case Processing Manual*. We reviewed this request and determined that it justified entering into an agreement without completing a full investigation.

On September 11, 2014, we received the College's signed Resolution Agreement (enclosed). When the Agreement is fully implemented, the allegation we identified will have been resolved consistent with the requirements of Title IX and its implementing regulation. We will monitor implementation of the Agreement through periodic reports demonstrating the terms of the Agreement have been fulfilled. We will promptly provide written notice of any deficiencies with respect to the implementation of the terms of the agreement and will promptly require actions to address such deficiencies. If the College fails to implement the Agreement, we will take appropriate action, which may include enforcement actions, as described in the Agreement.

OCR routinely advises recipients of Federal funds and public educational entities that Federal regulations prohibit intimidation, harassment, or retaliation against those filing complaints with OCR and those participating in a complaint investigation. Complainants and participants who

feel that such actions have occurred may file a separate complaint with OCR. Additionally, the Complainant may file a private suit in Federal court whether or not OCR finds a violation.

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.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, we will protect personal information to the extent provided by law.

This concludes OCR's investigative phase of this complaint. We are closing the investigative phase of this case effective the date of this letter. This letter addresses only the issues above and should not be interpreted as a determination of the College's compliance or noncompliance with Title IX and its implementing regulation in any other respect. If you have any questions regarding this matter, please contact Mr. XX XX, at 303-844-XXXX, or me at 303-844-6086.

Sincerely,

Kevin Daly  
Program Manager

Enclosure: Resolution Agreement

Cc: Becki Currey, Counsel  
John Huppenthal, Superintendent of Public Instruction (without enclosure)