



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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DENVER, CO 80204-3582

REGION VIII
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WYOMING

August 7, 2015

Pat Schloter, President
Everest College
9065 Grant Street
Thornton, CO 80229

Re: Everest College
OCR Case Number: 08-15-2072

Dear President Schloter:

This is to advise you of the resolution of the above-referenced complaint that was filed with our office. The complainant alleged that she was subjected to sexual harassment by a peer during the 2014 fall semester and when she reported it to College administrators, the College did not respond promptly and effectively.

We began investigating this complaint pursuant to 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 allegations 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 of both complaints.

We have received the signed Resolution Agreement, which is enclosed. When the Agreement is fully implemented, the allegation will be resolved consistent with the requirements of Title IX and its implementing regulation. OCR will monitor implementation of the Agreement through periodic reports demonstrating the terms of the Agreement have been fulfilled. We will provide written notice of any deficiencies regarding 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, as described in the Agreement. We will provide the Complainant with a copy of formal correspondence we issue to the College during the monitoring.

We thank the College for voluntarily entering into an Agreement to resolve the allegation raised in this complaint. This concludes OCR's investigation of this complaint and should not be interpreted to address the College's compliance with any other regulatory provision or to address any issues other than those addressed in this letter. This case is now in the monitoring phase. The monitoring phase of this case will be completed when OCR determines that the College has

fulfilled all terms of the Agreement. When the monitoring phase of this case is complete, OCR will close case number 08-15-2072 and will send a letter to the College, copied to the Complainant, stating that this case is closed.

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.

Please be advised that the College 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. In addition, the Complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

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.

We thank you for the courtesy and cooperation extended to us during the processing of this case. If you have any questions regarding this matter, please feel free to contact XXXXXX, Attorney Advisor, at XXX-XXX-XXXX, or me at 303-844-5027.

Sincerely,

/S/

Thomas M. Rock
Supervisory General Attorney

Enclosure

cc: Christopher Seiber, Corporate Counsel
Zenith Education Group