



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

915 2ND AVE., SUITE 3310
SEATTLE, WA 98174-1099

November 19, 2015

REGION X
ALASKA
AMERICAN SAMOA
GUAM
HAWAII
IDAHO
MONTANA
NEVADA
NORTHERN MARIANA
ISLANDS
OREGON
WASHINGTON

Dr. Stephen V. Sundborg
President
Seattle University
900 Broadway
Seattle, Washington 98122-4340

Re: Seattle University
OCR Reference Nos. 10152145, 10152146, 10152147, and 10152148

Dear Dr. Sundborg:

This is to inform you that the U.S. Department of Education, Office for Civil Rights (OCR) is discontinuing its investigation of the above-referenced discrimination complaints against Seattle University (university). As explained below, prior to completion of OCR's investigation, the university expressed an interest in voluntarily resolving the complaints and signed the enclosed Resolution Agreement (agreement) to address the complaint allegations.

The complaints alleged that the university discriminated against males on the basis of sex by sponsoring a program in March of 2015 called "Seattle Expanding Your Horizons" (SEYH) that excluded boys from participation.

OCR accepted these complaints for resolution under the authority of title IX of the Education Amendments of 1972. Title IX prohibits discrimination in programs and activities receiving federal financial assistance from the U.S. Department of Education. The university is a recipient of federal financial assistance from this Department.

Subject to the specific exceptions contained in the statute and implementing regulations, Title IX generally prohibits recipients of federal funding both from excluding students from educational opportunities based on their sex and from providing significant assistance to outside organizations that do so. Specifically, 34 CFR 106.31(a) states that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training or other education program or activity operated by a recipient. 34 CFR 106.31(b)(6) prohibits recipients aiding or perpetuating discrimination by providing significant assistance to any outside organization that discriminates on the basis of sex in providing any aid, benefit or service to students or employees.

OCR's investigation to date indicated that on March 14, 2015, the SEYH conference was held on the university campus. According to documents and information provided by the university, SEYH is intended to provide female role models in the science, technology, engineering and math (STEM) fields. In this regard, the conference offers content that is thought to be of particular interest to young girls who might be encouraged to explore non-traditional fields and address underrepresentation of girls in STEM fields.

The information obtained by OCR reflects that the university provides significant assistance to the SEYH program. The university's web site regarding the program indicates that "Seattle University offers the [SEYH] conference each year. These conferences offer girls in 6th-8th grade a day of career exploration in math, science and technology. The SEYH conference is currently held at the Seattle University campus, in Seattle, Washington." Elsewhere, the web site indicates that the university's College of Science & Engineering is the "official sponsor of SEYH." Other information provided by the university reflects that the university provides SEYH use of campus facilities for the conference and serves as the fiscal agent for processing the registration fees or conference gifts, but does not provide direct financial support for the program. The information also reflects that university faculty members have volunteered as presenters at the SEYH conference.

OCR's review of the promotional materials and registration forms for the EYH program do not indicate that boys are prohibited from attending or that that boys would be excluded if they registered to attend. However, OCR's review showed that the promotion materials and the registration form for the SEYH program used the term "girls" when referring to participants or registrants, which may have the effect of discouraging individuals from participation in the program based on sex.

During its investigation, OCR learned that the university is in the process of requesting that the SEYH program review those materials and address those items.

In accordance with Section 302 of OCR's *Case Processing Manual*, a complaint may be resolved at any time when, before the conclusion of an investigation, the institution expresses an interest in resolving the complaint. In such a case, the provisions of an agreement to resolve the complaint must be aligned with the complaint allegations or any information obtained during the discontinued investigation and must be consistent with applicable regulations. In this case, the university requested to resolve the complaint prior to the conclusion of OCR's investigation. Subsequent discussions with the university resulted in the university signing the enclosed agreement.

The actions the university will take under the agreement include:

- Adoption of written guidance, consistent with the requirements of Title IX, stating that it will not provide significant assistance to any program, agency or organization that unlawfully discriminates against students or participants on the basis of sex and specifying that, in order to receive significant assistance from the university, a program, agency or organization must ensure that students, participants, employees or members are not subjected to unlawful discrimination on the basis of sex in the operation and activities of the program, agency or organization and that

the activities of the program, agency or organization provide substantially equal opportunities for both male and female participants, consistent with the requirements of Title IX.

- Issuance of a notice of the written guidance to all programs, agencies, organizations or entities currently receiving significant assistance from the university and to university staff involved in such activities and incorporation of the requirements of the written guidance into future contracts and memoranda of understanding with relevant programs, agencies or organizations associated with the university.
- Implementation of certain case-specific remedies such as determining whether it will continue to provide significant assistance to the SEYH program and, if so, taking steps to ensure that SEYH is in compliance with the written guidance developed by the university, including reviewing promotional and registration materials and reviewing enrollment and registration records to ensure that individuals are not impermissibly excluded or discouraged from participation on the basis of sex, and, if necessary, working with the program to correct the identified concerns or, in the alternative, terminating significant assistance to the program.

OCR will monitor the implementation of the agreement and will close the complaint when OCR determines that the terms of the agreement have been satisfied. The first report under the agreement is due by January 15, 2016.

Thank you for the cooperation that you and your staff extended to OCR staff in resolving this complaint. If you have any questions, please feel free to contact Timothy L. Sell, Senior Attorney, by telephone at (206) 607-1639, or by e-mail at timothy.sell@ed.gov.

Sincerely,

Kelli Lydon Medak
Team Leader

Enclosure: Resolution Agreement

cc: Vice President and University Counsel