



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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May 2, 2018

Ms. Julie Huckestein
President
Chemeketa Community College
4000 Lancaster Drive NE
Salem, Oregon 97305

Re: Chemeketa Community College
OCR Reference No. 10182013

Dear President Huckestein:

The U.S. Department of Education (Department), Office for Civil Rights (OCR) is concluding its investigation of the above-referenced complaint against the Chemeketa Community College (college) as a result of the signed enclosed Voluntary Resolution Agreement (Agreement). OCR investigated whether, during the 2017-2018 academic year, the college discriminated against female students on the basis of sex by denying them an equal opportunity to participate in intercollegiate athletics.

As explained below, prior to completing OCR's investigation, the college requested to resolve the complaint and signed the enclosed Agreement that, when fully implemented, will address all of the complaint allegations.

OCR initiated its investigation of the complaint under the authority of Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations. Title IX prohibits discrimination on the basis of sex in educational programs and activities receiving federal financial assistance. The college is a recipient of federal financial assistance from this Department and is, therefore, required to comply with Title IX.

Before the conclusion of OCR's investigation, the college expressed an interest in voluntarily resolving the complaint. OCR's investigation to date identified a concern regarding whether the college was providing equal athletic opportunities to female athletes. Specifically, OCR identified information indicating that the college's participation opportunities for male and female students may not be provided in numbers substantially proportionate to their respective enrollments and OCR has not concluded its investigation in order to determine whether or not the college has a history and continuing practice of program expansion responsive to the developing interests and abilities of female students or is fully and effectively accommodating the interests and abilities of female students.

In accordance with Section 302 of the OCR's *Case Processing Manual*, a complaint may be resolved at any time when, prior to the point OCR issues a final determination, a college expresses an interest in resolving the complaint allegations, and OCR determines that it is appropriate to resolve the

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complaint allegations with a voluntary resolution agreement. OCR determined that a voluntary resolution agreement was appropriate in this case. Subsequent discussions with the college resulted in the college signing the Agreement, which when fully implemented, will resolve the allegations in the complaint. OCR will monitor the implementation of the Agreement until the college fulfills the terms of the Agreement.

The complainant may have the right to file a private suit in federal court whether or not OCR finds a violation. 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 occurs, the individual may file a complaint alleging such treatment.

Under the Freedom of Information Act, it may be necessary to release this document and related records upon request. In the event that OCR receives such a request, OCR 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.

Thank you for the cooperation that you and your staff extended to OCR in resolving this complaint. If you have any questions about this letter, you may contact Tina Sohaili, Attorney, by telephone at (206) 607-1634, or by e-mail at tina.sohaili@ed.gov.

Sincerely,

Barbara Wery
Team Leader

Enclosure: Voluntary Resolution Agreement