



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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July 31, 2020

Via email only: marc.johnson@unr.edu

Dr. Marc Johnson
President
University of Nevada- Reno
1664 N. Virginia Street
Reno, Nevada 89557

Re: University of Nevada- Reno
OCR Reference No. 10202180

Dear Dr. Johnson:

This letter is to inform you of the disposition of the above-referenced complaint against the University of Nevada Reno (university) with the U.S. Department of Education (Department), Office for Civil Rights (OCR). The complainant alleged that the university discriminates against middle school male students on the basis of sex by hosting the Northern Nevada Girls Math & Technology Program (program) which is restricted to female students.

As explained below, prior to completion of OCR's investigation, the university expressed an interest in voluntarily resolving the complaint and signed the enclosed Voluntary Resolution Agreement (agreement) to address the complaint allegation.

OCR investigated this case under the authority of Title IX of the Education Amendments of 1972 (Title IX), which prohibits discrimination on the basis of sex in educational programs and activities receiving federal financial assistance. Because the university receives federal financial assistance from this Department, it is required to comply with Title IX.

The regulation implementing Title IX, at 34 C.F.R. § 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 educational program or activity operated by a recipient.

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

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OCR's investigation to date indicated that the program's promotional and recruitment materials were limited to girls. Specifically, the university's website indicated that the program was intended for girls entering grades 7-8, and appropriate to girls of all abilities and backgrounds. The university's website described the program as "[t]wo classes of about 30 girls each typically work within their own grade-level grouping. For most class sessions, girls work together at tables in randomized groups of four that change daily." OCR noted concerns that the promotional and recruitment materials for the program, that included the title of the program and the use of the term "girls" when referring to participants or registrants, may result in the exclusion of male students from the program. Before concluding OCR's investigation, the university requested to resolve the complaint.

In accordance with Section 302 of the *OCR Case Processing Manual*, a complaint may be resolved at any time when, before OCR issues its final determination, the recipient expresses an interest in resolving the complaint allegations and OCR determines that it is appropriate to resolve the issues under investigation with an agreement. In light of the university's willingness to address the concerns identified by OCR comprehensively without further investigation, OCR determined that entering into a voluntary resolution agreement was appropriate. Subsequent discussions with the university resulted in the university signing the enclosed agreement, which when fully implemented, will address the issue raised in this complaint.

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.

This concludes OCR's investigation of the complaint. The complainant may have the right to file a private suit in court regardless of OCR's determination.

Please be advised that 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, the individual 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 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 October 1, 2020.

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Thank you and your staff for your assistance during the resolution of this complaint. If you have any questions regarding this letter, please contact Tania Lopez, senior attorney, at (206) 607-1623 or via email at tania.lopez@ed.gov.

Sincerely,

Sarah Dunne
Chief Attorney

Enclosure

cc: Gary Cardinal, Assistant General Counsel, University of Nevada Reno
(via email only: gcardinal@unr.edu)