



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

400 MARYLAND AVENUE, SW
WASHINGTON, DC 20202-1475

REGION XI
NORTH CAROLINA
SOUTH CAROLINA
VIRGINIA
WASHINGTON, DC

January 8, 2021

Via Email: mpugel@wfu.edu

Dr. Nathan O. Hatch
President
Wake Forest University
1834 Wake Forest Road
Winston-Salem, NC 27109

RE: OCR Complaint No. 11-20-2314
Resolution Letter

Dear Dr. Hatch:

This letter is to advise you of the outcome of the complaint that the Office for Civil Rights (OCR) of the U.S. Department of Education (the Department) received on July 13, 2020, against Wake Forest University (the University). The complaint alleged that the University discriminates against boys on the basis of sex. Specifically, the complaint alleged that the School of Medicine's "Girls in STEM" program, a year-long program for local middle school girls, unlawfully excludes boys based on their sex.

OCR enforces Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any program or activity receiving Federal financial assistance from the Department. Because the University receives Federal financial assistance from the Department, OCR has jurisdiction over it pursuant to Title IX.

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

Summary of Facts

The "Girls in STEM" program (the Program) is a program that targets middle school girls in two counties near the University that are relatively lower income areas. While the Program is partially funded through an outside grant, staff that operate the Program are affiliated with the University, and the University does not dispute that it is a University program. The Program has been in existence for two years, and the current funding grant is set to expire after the 2021-2022

school year. The Program is operating during the current school year and is currently limited to girls. The University did not identify a comparable program for boys.

The Program is ten months long, beginning in July and ending in May. Enrolled students complete a ten-month long project that must be completed in May. The University will begin accepting applications for participation in the 2021-2022 program in March 2021.

Resolution

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 without further investigation, OCR determined that entering into a resolution agreement was appropriate. Subsequent discussions with the University resulted in the University signing the enclosed Resolution Agreement, which when fully implemented, will address the issue raised in this complaint. OCR will monitor the University's implementation of the agreement until the University has fulfilled the terms of the Agreement.

This concludes OCR's investigation of the complaint. This letter should not be interpreted to address the University's compliance with any other regulatory provision or to address any issues other than those addressed in this letter. 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. A complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the University must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR. If this happens, the individual may file a retaliation complaint with OCR.

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 seek to protect personally identifiable information that could reasonably be expected to constitute an unwarranted invasion of personal privacy if released, to the extent provided by law.

We appreciate the University's cooperation in the resolution of this complaint. If you have any questions, please contact Sara Clash-Drexler, the OCR attorney assigned to this complaint, at 202-453-5906 or sara.clash-drexler@ed.gov.

Sincerely,

O/B/O Michael Hing
Team Leader, Team I
District of Columbia Office
Office for Civil Rights

Enclosure

cc (via email): Dina Marty, Deputy General Counsel