



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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CLEVELAND, OH 44115-1812

REGION XV
MICHIGAN
OHIO

September 9, 2021

Via E-mail Only to fhribar@adrian.edu

Frank J. Hribar, D.B.A.
Vice President
Enrollment & Student Affairs
Adrian College
110 S. Madison Street
Adrian, Michigan 49221

Re: OCR Docket Nos. 15-17-2071 and 15-17-2101

Dear Mr. Hribar:

This letter is to notify you of the disposition of the above-referenced complaints filed on January 5 and February 20, 2017, with the U.S. Department of Education, Office for Civil Rights (OCR), against Adrian College alleging that the college discriminated against a student (the Student) on the basis of race and retaliated against the Student. Specifically, the complaints alleged that:

1. XXXXX - SENTENCE REMOVED - XXXXX
2. XXXXX - SENTENCE REMOVED - XXXXX

OCR enforces Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d *et seq.*, and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, or national origin by recipients of Federal financial assistance. Persons who seek to enforce their rights under this law are also protected from retaliation by this law. Because the college receives Federal financial assistance from the Department of Education, the college is subject to Title VI.

Based on the complaint allegations, OCR opened an investigation of the following legal issues:

- Whether the college, on the basis of race, denied a student any service or benefit provided under the college's program; provided services or benefits that were different from or provided in a different manner from services or benefits provided to other students; restricted a student in the enjoyment of any advantage or privilege enjoyed by others; and/or treated any student differently from others in determining whether she satisfied any eligibility or other requirement or condition which individuals must meet in order to be provided any service or benefit, in violation of the Title VI implementing regulation at 34 C.F.R. § 100.3(b)(1)(i), (ii), (iv), and (v).

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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- Whether the college intimidated, threatened, coerced, or discriminated against an individual for the purpose of interfering with any right or privilege secured by Title VI or because the individual made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing under Title VI in violation of the Title VI implementing regulation at 34 C.F.R. § 100.7(e).

During its investigation to date, OCR reviewed information provided by the Student and the college and interviewed the Student and college witnesses.

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Prior to the conclusion of OCR's investigation, the college expressed an interest in resolving the complaint allegations. Under Section 302 of OCR's *Case Processing Manual*, allegations under investigation may be resolved at any time when, prior to the issuance of a final investigative determination, the recipient expresses an interest in resolving the allegations and OCR determines that it is appropriate to resolve them because OCR's investigation has identified concerns that can be addressed through a resolution agreement. OCR determined resolution was appropriate. OCR has identified compliance concerns regarding the college's actions with respect to XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX XXXXXX. XXXXXX – SENTENCE REMOVED – XXXXXX. XXXXXX – SENTENCE REMOVED – XXXXXX. XXXXXX – SENTENCE REMOVED – XXXXXX.

XXXXXX – PARAGRAPH REMOVED – XXXXXX

On September 9, 2021, the college signed the enclosed Resolution Agreement, which, when fully implemented, will address all of the allegations in the complaint. OCR will monitor the implementation of the Resolution Agreement.

This concludes OCR's investigation of the 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 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 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, 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.

The Complainant may file a private suit in federal court, whether or not OCR finds a violation.

OCR looks forward to receiving the college monitoring report by November 15, 2021. For questions about implementation of the Agreement, please contact OCR attorney XXXXX XXXXX. XXXXX XXXXX will be overseeing the monitoring and can be reached by telephone at (XXX) XXX-XXXX or by e-mail at XXXXX.XXXXX@ed.gov. If you have questions about this letter, please contact me by telephone at (216) 522-4709, or by e-mail at John.Cohen@ed.gov.

Sincerely,

/s/

John Cohen
Acting Team Leader

Enclosure