



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

1999 BRYAN STREET, SUITE 1620
DALLAS, TEXAS 75201-6831

REGION VI
ARKANSAS
LOUISIANA
MISSISSIPPI
TEXAS

July 25, 2017

b6; b7A; b7C

RE: OCR Case No. 06172217
Southern University and A&M College

Dear [b6; b7A; b7C]

This letter is to inform you that the U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office, has opened for investigation your complaint against Southern University and A&M College (University), in which you alleged that the University discriminated against you on the basis of sex (male) [b6; b7A; b7C] by a female classmate (Student 2) when it failed to provide you a prompt and equitable process during its [b6; b7A; b7C] investigation of Student 2's complaint, and subsequently [b6; b7A; b7C]. [b6; b7A; b7C] Hereafter, you will be referred to as Student 1.

OCR is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any education program or activity receiving Federal financial assistance. The University is a recipient of Federal financial assistance from the Department. Therefore, OCR has jurisdictional authority over the University to process this complaint for resolution under Title IX.

Because OCR has determined that it has jurisdiction and that the complaint was filed timely, it is opening this allegation for investigation. Please note that opening an investigation in no way implies that OCR has made a determination regarding its merits. During the investigation, OCR is a neutral fact finder, collecting and analyzing relevant evidence from the complainant, the recipient and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and is dispositive of the allegations, in accordance with the provisions of OCR's *Case Processing Manual*.

OCR will investigate whether the University failed to respond promptly and equitably to a sexual harassment complaint (i.e., [b6; b7A; b7C]) Student 2 filed against Student 1, or otherwise discriminated against Student 1 on the basis of sex in its handling of the sexual harassment complaint Student 2 filed against him, during the [b6; b7A; b7C] semester, in violation of Title IX, at 34 C.F.R. §§ 106.8 and 106.31.

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

Complaints may be resolved prior to the conclusion of an investigation by means of Early Complaint Resolution (ECR). ECR allows the parties (the complainant and the institution that is the subject of the complaint) an opportunity to resolve the complaint allegations quickly, generally soon after the complaint has been opened for investigation. If both parties are interested, and if OCR determines that ECR is appropriate, OCR will facilitate settlement discussions between the parties and work with the parties to help them understand the legal standards and possible remedies. More information about the ECR process may be found in the enclosed brochure. Please let me know if you are interested in the ECR process.

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, that individual may file a 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, it 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.

If you have any questions about this letter, please contact me at (214) 661-9650 or thomas.stack@ed.gov, or you may contact my Supervisory Attorney/Team Leader, Terri Gonzales, at (214) 661-9687 or terri.gonzales@ed.gov.

Sincerely,

(b)(6); (b)(7)(C)

Thomas W. Stack
Office for Civil Rights
Dallas Office

Enclosure: ECR Brochure



UNITED STATES DEPARTMENT OF EDUCATION
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1999 BRYAN STREET, SUITE 1620
DALLAS, TEXAS 75201-6831

REGION VI
ARKANSAS
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TEXAS

July 25, 2017

Dr. Ray L. Belton, President-Chancellor
Southern University and A&M College
P.O. Box 9374
Baton Rouge, LA 70813

*Via Facsimile 225-771-2018
and Regular Mail*

RE: OCR Case No. 06172217

Dear Dr. Belton:

This letter is to inform you that the U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office, has opened for investigation a complaint against Southern University and A&M College (University), in which the complainant (hereafter Student 1) alleged that the University discriminated against him on the basis of sex (male) [b6; b7A; b7C] by a female classmate (hereafter Student 2) when it failed to provide him a prompt and equitable process during its [b6; b7A; b7C] investigation of Student 2's complaint, and subsequently [b6; b7A; b7C] [b6; b7A; b7C].

OCR is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any education program or activity receiving Federal financial assistance. The University is a recipient of Federal financial assistance from the Department. Therefore, OCR has jurisdictional authority over the University to process this complaint for resolution under Title IX.

Because OCR has determined that it has jurisdiction and that the complaint was filed timely, it is opening this allegation for investigation. Please note that opening an investigation in no way implies that OCR has made a determination regarding its merits. During the investigation, OCR is a neutral fact finder, collecting and analyzing relevant evidence from the complainant, the recipient and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and is dispositive of the allegations, in accordance with the provisions of OCR's *Case Processing Manual*.

OCR will investigate whether the University failed to respond promptly and equitably to a sexual harassment complaint (i.e., [b6; b7A; b7C] Student 2 filed against Student 1, or otherwise discriminated against Student 1 on the basis of sex in its handling of the sexual harassment complaint Student 2 filed against him, during the [b6; b7A; b7C] semester, in violation of Title IX, at 34 C.F.R. §§ 106.8 and 106.31.

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

Complaints may be resolved prior to the conclusion of an investigation in two ways. First, Early Complaint Resolution (ECR) allows the parties (the complainant and the institution that is the subject of the complaint) an opportunity to resolve the complaint allegations quickly, generally soon after the complaint has been opened for investigation. If both parties are interested, and if OCR determines that ECR is appropriate, OCR will facilitate settlement discussions between the parties and work with the parties to help them understand the legal standards and possible remedies. Second, complaints may also be resolved before the conclusion of an investigation if the institution that is the subject of the complaint (recipient) expresses an interest in resolving the complaint. This process is voluntary and must be requested by the recipient. OCR must determine that it is appropriate to resolve the complaint during the course of an investigation. If the voluntary resolution process has been determined appropriate, OCR will notify the complainant of the recipient's interest in resolving the complaint. The resolution agreement is negotiated between OCR and the recipient and will be aligned with the complaint allegations, issues investigated, and information obtained during the investigation. A copy of the signed resolution agreement will be included with the resolution letter. OCR will then monitor the implementation of the resolution agreement. For your information, we have enclosed *OCR's Complaint Processing Procedures* to provide you with an overview of OCR's complaint evaluation and resolution processes.

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, that individual may file a 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, it 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.

If you have any questions about this letter, please contact me at (214) 661-9650 or thomas.stack@ed.gov, or you may contact my Supervisory Attorney/Team Leader, Terri Gonzales, at (214) 661-9687 or terri.gonzales@ed.gov.

Sincerely,

(b)(6); (b)(7)(C)

Thomas W. Stack
Office for Civil Rights
Dallas Office

Enclosure: OCR's Complaint Processing Procedures

INITIAL DATA REQUEST

OCR Case No. 06172217

Southern University and A&M College (the University)

b6; b7A; b7C



(b)(7)(A)