



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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SEATTLE, WA 98174-1099

December 8, 2020

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Via e-mail only to: president@spu.edu
Dr. Daniel J. Martin
President
Seattle Pacific University
3307 3rd Avenue W
Seattle, Washington 98119

Re: Seattle Pacific University
OCR Reference No. 10202219

Dear President Martin:

This is to inform you of the disposition of the referenced complaint filed with the U.S. Department of Education (Department), Office for Civil Rights (OCR) against Seattle Pacific University (the university). The complainant alleged that the university is failing to provide equal athletic opportunities to female student athletes by not effectively accommodating their interests and abilities.

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

As explained below, prior to completing OCR's investigation, the university requested to resolve the complaint and signed the enclosed voluntary resolution agreement (Agreement) that, when fully implemented, will address the complaint allegation.

OCR's investigation to date identified information indicating that the university's participation opportunities for male and female students may not be provided in numbers substantially proportionate to their respective enrollments. Accordingly, OCR has a concern that the university may not be providing equal athletic opportunities to female students. OCR has not concluded its investigation in order to determine whether or not the university 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 OCR issuing a final determination, a recipient expresses an interest in resolving the complaint allegations, and OCR determines that it is appropriate to resolve the complaint allegations with a voluntary resolution agreement. In this case, prior to the conclusion of

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OCR's investigation, the university expressed interest in voluntarily resolving the complaint and OCR determined that a voluntary resolution agreement was appropriate. Subsequent discussions with the university resulted in the university signing the Agreement, which when fully implemented, will resolve the allegations in the complaint. OCR will monitor the implementation of the Agreement until the university 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 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 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, at (206) 607-1634, or at tina.sohaili@ed.gov.

Sincerely,

Barbara Wery
Team Leader

Enclosure: Voluntary Resolution Agreement