



**UNITED STATES DEPARTMENT OF EDUCATION**  
**OFFICE FOR CIVIL RIGHTS**  
**SOUTHERN DIVISION - DALLAS OFFICE**  
*Arkansas, Louisiana, Mississippi, Oklahoma, Texas*  
**1999 BRYAN STREET, SUITE 2600**  
**DALLAS, TEXAS 75201**  
**(214) 880-2459**  
**(214) 880-3082 FAX**

April 21, 2000

Dr. Leonardo de la Garza, Chancellor  
Tarrant County College District  
1500 Houston Street  
Fort Worth, Texas 76102-6599

Dear Dr. de la Garza:

Reference: Docket #06-99-2169

This letter is to notify you of the determination of the Office for Civil Rights (OCR) regarding the above-referenced complaint which alleged that Tarrant County College District (TCCD), Fort Worth, Texas, discriminated against a student on the basis of sex in violation of Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulation at 34 C.F.R. Part 106. Specifically, a student in the respiratory therapy program (hereinafter referred to as Student) alleged that TCCD failed to take action after she reported to a school official in March, 1999, that a professor had sexually harassed her. The Student also alleged that TCCD faculty retaliated against her and intimidated her by refusing to provide her with copies of her clinical grades when she requested them on May 3, 1999.

This agency is responsible for determining whether organizations that receive or benefit from Federal financial assistance from the Department of Education or an agency that has delegated investigative authority to this Department are in compliance with Title IX of the Education Amendments of 1972, 20 U.S.C. §1681, which states:

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. . .

*Our mission is to ensure equal access to education and to promote educational excellence throughout the Nation*

OCR determined that the TCCD conducted its own internal investigation of the allegations in this complaint. Regarding the allegation of retaliation, OCR also obtained information which confirmed that the Student was provided with her clinical grades.

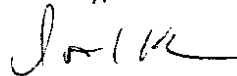
In addition to the actions already taken by TCCD to resolve the allegations of this complaint, TCC voluntarily agreed to implement the attached "Commitment to Resolve". This commitment and the previous actions taken by TCCD are sufficient to resolve the allegations in this complaint. We, therefore, consider this complaint resolved as of the date of this letter. OCR will monitor the commitment as indicated therein. If the TCCD fails to implement the commitment, OCR will immediately resume the investigation.

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, personal information which, if released, could constitute an unwarranted invasion of privacy.

Under OCR procedures we are required to remind all parties that intimidation or retaliation against a complainant is prohibited by regulations enforced by this agency. Specifically, the regulations enforced by OCR, directly or by reference, state that no recipient or other person shall intimidate, threaten, coerce or discriminate against any individual for the purpose of interfering with any right or privilege secured by regulations enforced by OCR or because one has made a complaint, testified, assisted or participated in any manner in an investigation, proceedings or hearing held in connection with a complaint.

We appreciate your cooperation and that of your staff. If you have any questions about this or other civil rights related matters, you may contact me at (214) 880-2437 or Sherry L. Greene at (214) 880-4919.

Sincerely,



Timothy C. J. Blanchard  
Team Leader  
Southern Division/Dallas

Attachment

**Tarrant  
County  
College  
District**



OFFICE OF THE  
VICE CHANCELLOR FOR  
ADMINISTRATION

1500 Houston Street • Fort Worth, Texas 76102-6599 • (817) 515-5242 • Fax (817) 515-5150


**Commitment to Resolve  
Tarrant County College District  
Complaint #06-99-2169**

In order to ensure future compliance with Title IX of the Education Amendments of 1972 and without admitting any liability regarding outstanding Title IX issues, the Tarrant County College District (TCCD) will voluntarily take the following actions:

1. The College has revised its grievance procedures to include each of the following elements:
  - a) Notice to students and employees of the procedure for filing a grievance, including where and with whom grievances/complaints may be filed. The notice also indicates that if the alleged offending party is the official with whom that complaint is to be filed, the complaint may be filed with his/her supervisor.
  - b) Identification of the name, office address and telephone number of the Title IX coordinator;
  - c) A procedure for the adequate, reliable and impartial investigation of complaints, including the opportunity to present witnesses and other evidence;
  - d) Designated and reasonably prompt timeframes for the major stages of the complaint process;
  - e) Notice to parties of the outcome;
  - f) An assurance that TCCD will take steps to prevent recurrence of any harassment and to correct its discriminatory effects on the complainant and others;
  - g) An opportunity to appeal; and
  - h) A provision prohibiting retaliation against any individual who files a complaint or participates in a harassment inquiry;

These grievance procedures will be published in student and employee handbooks by the beginning of the 2000-2001 school year. A copy of these revised handbooks will be provided to OCR by December 1, 2000.

2. TCCD assures OCR that it will take prompt and necessary steps to investigate and appropriately address any allegations of discrimination on the basis of sex, including sexual harassment. TCCD assures OCR that warnings and appropriate discipline will be directed at the offending party. TCCD will maintain complaints of discrimination on the basis of sex, including sexual harassment and the TCCD response to these complaints in a central location. TCCD will provide OCR with copies of any complaints of discrimination on the basis of sex, including sexual harassment, and the TCCD response to these complaints on September 30, 2000, 2001 and 2002.
3. By December 1, 2000, TCCD will conduct additional training for all employees on the new grievance procedures and on sexual harassment in general. The training will be provided by persons who are not employees of TCCD. TCCD will assure OCR that all employees have attended this training by providing a copy of a sign-in-sheet. In addition, TCCD will provide OCR with copies of any documentation that is distributed at the training and the name and credentials of the trainer(s). The documentation will be provided to OCR by December 30, 2000.
4. By April 30, 2000, TCCD will offer the complainant reimbursement for professional counseling. This written offer can be time sensitive in that the complainant may be required to respond with copies of bills for professional counseling within 30 days of the date of the letter making the offer. TCCD will provide documentation regarding this offer and the outcome to OCR by May 31, 2000.
5. TCCD assures OCR that the complainant will not be retaliated against if she chooses to return to TCCD. TCCD will take appropriate action to investigate any reported harassment or retaliation, if any, involving the complainant. Documentation regarding these incidents will be provided to OCR within 30 days of the reported harassment or retaliation, if the complainant re-enrolls in TCCD. Reporting of these incidents to OCR will continue until the complainant graduates or otherwise terminates enrollment with TCCD.



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Erma C. Johnson  
Vice Chancellor for Administration  
Tarrant County College

4/18/2000  
Date