

DEPARTMENT OF EDUCATION

JUN 15 1999

Mr. Fred Hansen
 Director
 ITT Technical Institute
 500 East 84th Avenue
 Thornton, Colorado 80229

Re: ITT Technical Institute
 Case Number 08992008-A

On December 16, 1998, the U.S. Department of Education, Office for Civil Rights (OCR) informed you that we accepted a complaint of discrimination against ITT Technical Institute (Institute). The complainant alleged that the Institute discriminated against her on the basis of sex. Specifically, the complainant alleged that she was subjected to a sexually hostile environment and the Institute took insufficient action to stop the reported harassment. The complainant also alleged that Institute staff informed her that the Institute could not stop the harassing behavior and she would not be protected from reprisals from students for her complaints about this behavior. Thereafter, the complainant determined she did not want to continue with her program at the Institute. She withdrew from the school and received a tuition reimbursement.

The complaint was filed pursuant to Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex. The Institute is a recipient of Federal financial assistance and is therefore subject to the provision of these regulations.

Subsequent to the filing of this complaint, OCR determined that the Institute has a grievance procedure for sex discrimination complaints which provides for prompt and equitable resolution of complaints. In addition, the Institute agreed to resolve the allegations raised by the complainant by entering into an agreement with OCR regarding the provision of training to staff. On June 14, 1999, we received the Institute's enclosed written Commitment to Resolve (CTR).

Therefore, effective the date of this letter, this case is being closed subject to the successful completion of the CTR, which will be monitored by OCR. If the Institute fails to implement the CTR, OCR will immediately reopen the case and resume the investigation. This letter addresses only the issues discussed and should not be interpreted as a determination of the Institute's compliance with Title IX in any other respect.

FILE
 COPY

OFFICE	SURNAME	DATE	OFFICE	SURNAME	DATE	OFFICE	SURNAME	DATE
FOS	Agarwal	6/14/99						
STL	Am	6/15/99						
CC/AA	Bauer	6/15/99						

Individuals filing a complaint or participating in an investigation are protected under Federal law against harassment, retaliation, or intimidation by 34 C.F.R. § 106.71, as it incorporates 34 C.F.R. § 100.7(e).

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.

We appreciate your cooperation in resolving this matter. If you have any questions regarding the disposition of this case, please contact Judge Spaulding, Equal Opportunity Specialist, at (303) 844-4573 or me at (303) 844-4506.

Respectfully,

L. Thomas Close
Supervisory Team Leader

Enclosure

cc: Marty Denis
Attorney at Law




ITT Educational Services, Inc.

COMMITMENT TO RESOLVE
ITT Technical Institute
Case Number 08992008-A

ITT Technical Institute (Institute) submits the following Commitment to Resolve (Commitment) under authority granted to the U.S. Department of Education, Office for Civil Rights (OCR), by Title IX of the Education Amendments Act of 1972 and the regulations adopted pursuant thereto (34 CFR Part 106). The Institute submits this Commitment in the interest of voluntarily resolving the allegations and issues involved in OCR complaint number 08992008-A, without any admission of wrongdoing.

1. The Institute shall conduct training on sexual harassment for all administrators, faculty, and staff at the Thornton, Colorado school. This training shall be conducted by an outside agency. Before instituting the training, the Institute shall submit for OCR's approval an outline/syllabus of the training and copies of all handouts and other materials to be used in the training as well as the name and telephone number of the person from the agency who will oversee the implementation of the training. The training should focus on the seriousness of and appropriate responses to allegations of sexual harassment. The training shall be completed by October 15, 1999. The Institute shall provide evidence of such training within 15 days of the completion of the training, including agendas, dates, sign-in sheets, list of participants, and copies of materials distributed to participants.
2. The Institute shall provide OCR with monitoring reports on or before December 15, 1999 and on or before June 15, 2000 which provide the following information for the 1999-2000 school years for the Thornton, Colorado school:
 - A. all incidents of sexual harassment reported to or known by the Institute;
 - B. all investigations or hearings as a result of the sexual harassment incidents; and
 - C. any and all corrective action(s) taken by the Institute in response to the sexual harassment incidents.



For ITT Technical Institute
6/11/99

Date