



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS

ASSISTANT SECRETARY

JAN 25 2006

Dear Colleague:

My purpose in writing to you is to increase awareness of an important issue affecting students — sexual harassment — and to remind you of the principles that a school should use to recognize and effectively respond to the sexual harassment of students in its programs and activities. As you know, the Office for Civil Rights (OCR) in the U.S. Department of Education (Department) is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX) and the Department's implementing regulations at 34 C.F.R. Part 106, which prohibit sex discrimination in education programs and activities operated by educational institutions that receive Federal financial assistance.

Longstanding legal authority establishes that harassment of students can be a form of sex discrimination covered by Title IX. I want to commend the efforts many of you have made to ensure that all students have a safe and secure educational environment that affords them equal educational opportunities regardless of their sex. Unfortunately, a significant number of students are still subjected to sexual harassment, which can interfere with a student's education as well as his or her emotional and physical well-being. Preventing and remedying sexual harassment in schools is essential to ensuring a safe environment in which students can learn.

I am enclosing the Revised Sexual Harassment Guidance: Harassment of Students By School Employees, Other Students, or Third Parties issued by OCR in January 2001. The guidance explains an educational institution's responsibility, as a condition of receiving Federal financial assistance, to take immediate and effective steps to end sexual harassment when it occurs, prevent its recurrence, and remedy its effects.

You should be aware that the guidance outlines standards applicable to OCR's enforcement of compliance in cases raising sexual harassment issues. It does not purport to discuss standards applicable to private Title IX lawsuits for monetary damages. You will also note that the guidance sometimes cites OCR resolution letters. These letters are fact-specific statements of the investigative findings and dispositions in individual cases and are not formal statements of OCR policy.

I am committed to the vigorous enforcement of Title IX and to ensuring equal opportunities in education for all students. In furtherance of that commitment, OCR plans to conduct compliance reviews related to sexual harassment in schools. OCR remains willing to support you in your voluntary efforts to comply with Title IX. If you need additional information about Title IX, have questions regarding the Department's policies, or seek guidance, please contact the OCR

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enforcement office that serves your state or territory for further assistance. I have enclosed the addresses and telephone numbers of those offices.

Thank you for your attention to this matter of vital importance to maintaining a safe environment for all students.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephanie Monroe". The signature is written in a cursive style with a large initial 'S' and 'M'.

Stephanie Monroe  
Assistant Secretary  
for Civil Rights

Enclosure(s)