



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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NEW YORK, NEW YORK 10278

REGION 2

NEW JERSEY
NEW YORK
PUERTO RICO
U.S. VIRGIN ISLANDS

January 10, 2025

Sent by email only to jimellis1103@yahoo.com

Jim Ellis

Re: Case Number 02-24-2256 – State University of New York - Fashion Institute of Technology

Dear Mr. Ellis:

On February 22, 2024, the U.S. Department of Education (the Department), Office for Civil Rights (OCR), received the complaint you filed against the State University of New York - Fashion Institute of Technology (the Institute). Your complaint alleged that the Institute discriminates on the basis of sex by offering the Delight program (the Program) to female students only. Based on information you provided in your complaint, information the Institute provided to OCR through its Rapid Resolution Process (RRP) under Section 203 of OCR's [Case Processing Manual \(CPM\) \(July 18, 2022\)](#), and publicly available information online, OCR is dismissing your complaint, as explained below.

OCR enforces Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681-1688, and its implementing regulations, 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any education program or activity operated by a recipient of federal financial assistance from the Department. As a recipient of federal financial assistance from the Department, the Institute must comply with Title IX and its implementing regulations.

The Title IX regulation, at 34 C.F.R. § 106.31(a), provides generally that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient of federal financial assistance. The Title IX regulation, at 34 C.F.R. § 106.31(b)(6), prohibits a recipient from providing significant assistance to any agency, organization, or person that discriminates on the basis of sex in providing any aid, benefit, or service to students or employees.

In support of your allegation, you provided a link to the Institute's website, which stated that Program "chapters are recognized organizations, student-led, and rooted in Scripture-based curriculum and resources. We are passionate about empowering college women to lead, disciple, and transform the culture of their campus. We aim to provide a space on college campuses for women to vulnerably share how Christ has been at work in their lives." In addition, the Institute's webpage for the Program stated, "Our mission is to invite college women into Christ-centered community that fosters vulnerability and transforms stories."

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

The Institute informed OCR that the Program is open to all students regardless of sex and that the Institute revised the language of the Program’s webpage to remove sex-restricted language from the Program’s description and mission. OCR confirmed that the webpage for the Program on the Institute’s website now states, “We aim to provide a space on college campuses for students to vulnerably share how Christ has been at work in their lives,” and includes this “Mission Statement” open to all students: “OUR MISSION IS TO INVITE COLLEGE STUDENTS INTO CHRIST-CENTERED COMMUNITY THAT FOSTERS VULNERABILITY AND TRANSFORMS STORIES.” In addition, OCR determined that the Institute’s Student Clubs and Organizations webpage states that the Institute’s clubs and organizations must adhere to the Institute’s non-discrimination policy, which prohibits discrimination, including on the basis of sex, in its programs and activities.

Under Section 110(d) of OCR’s CPM, OCR will dismiss an allegation when OCR obtains credible information indicating that the allegation in the complaint has been resolved, the facts underlying the allegation are no longer present, and OCR has no evidence the law is violated. Because OCR received credible information demonstrating that the Institute took affirmative steps to resolve the allegation regarding the Program, the facts underlying the allegation are no longer present, and OCR has no evidence the law is violated, OCR is dismissing the allegation under Section 110(d) of OCR’s CPM, and the complaint, as of the date of this letter.

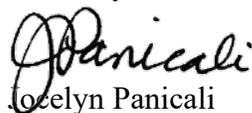
This letter sets forth OCR’s determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR’s formal policy statements are approved by a duly authorized OCR official and made available to the public. An individual may have the right to file a private suit in federal court whether or not OCR finds a violation.

Please be advised that the Institute must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, assists, or participates in a proceeding under a law enforced by OCR. If this happens, the individual may file a retaliation complaint against the Institute with OCR.

Under the Freedom of Information Act (FOIA), it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, it will seek to protect, to the extent provided by law, personally identifiable information that, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have questions, please contact Stacy Bobbitt, Compliance Team Investigator, at (646) 428-3823 or stacy.bobbitt@ed.gov.

Sincerely,

A handwritten signature in black ink that reads "Jocelyn Panicali". The signature is written in a cursive, flowing style.

Jocelyn Panicali
Compliance Team Leader