



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

THE WANAMAKER BUILDING, SUITE 515  
100 PENN SQUARE EAST  
PHILADELPHIA, PA 19107-3323

**REGION III**  
DELAWARE  
KENTUCKY  
MARYLAND  
PENNSYLVANIA  
WEST VIRGINIA

**January 13, 2014**

IN RESPONSE, PLEASE REFER TO: 03132315

Dr. Michelle Howard-Vital, President  
Cheyney University  
1837 University Circle  
P.O. Box 200  
Cheyney, PA 19319

Dear Dr. Howard-Vital:

This is to notify you of the resolution of the complaint against the Cheyney University (the University). XXXXXX (the Complainant) alleged that the University discriminated against him on the basis of age by denying him the opportunity to participate in a XXXX XXXXX program.

OCR enforces:

- The Age Discrimination Act of 1975 which prohibits age discrimination and contains a provision specifically prohibiting retaliation against an individual who exercises his or her rights under the statute by filing a complaint or for participating in an investigation or proceeding hereunder.

As a recipient of Federal financial assistance from the Department, the University is subject to this law.

Under OCR procedures, a complaint may be resolved before the conclusion of an investigation if a recipient asks to resolve the complaint by signing a resolution agreement. The provisions of the resolution agreement must be aligned with the complaint allegations and be consistent with applicable regulations. Such a request does not constitute an admission of a violation on the part of the University, nor does it constitute a determination by OCR of any violation of our regulations.

Consistent with OCR's procedures, the University agreed to resolve this complaint through a resolution agreement and, on January 10, 2014, the University signed a voluntary resolution agreement (Agreement) with OCR in order to resolve the matter. As is our standard practice, OCR will monitor the University's implementation of the Agreement, a copy of which is enclosed. Accordingly, OCR is concluding its investigation of this complaint.

This letter is not intended, nor should it be construed, to cover any other issues regarding the University's compliance with the Age Discrimination Act of 1975 or their implementing regulations that may exist and are not discussed herein. Please be advised that the Complainant may have the right to file a private lawsuit in Federal court whether or not OCR finds a violation.

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 happens, the Complainant may file another complaint alleging such treatment.

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, personally identifiable information, which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

Thank you for your cooperation. If you have any questions, please feel free to contact me at (215) 656-6935.

Sincerely,

/s/

Beth Gellman-Beer  
Team Leader  
Philadelphia Office

Enclosure

cc: Ann St. Ledger, Esquire