



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS, REGION IV

61 FORSYTH ST., SOUTHWEST, SUITE 19T10  
ATLANTA, GA 30303-8927

REGION IV  
ALABAMA  
FLORIDA  
GEORGIA  
TENNESSEE

April 9, 2015

Joe H. Pickens, J.D.  
President  
St. Johns River State College  
5001 St. Johns Avenue  
Palatka, FL 32177

Re: Complaint #04-15-2062

Dear Mr. Pickens:

The U.S. Department of Education (Department), Office for Civil Rights (OCR), has concluded its investigation of the above-referenced complaint filed against St. Johns River State College (College) alleging discrimination based on sex. Specifically, the Complainant alleged that, in the fall 2014 semester, the College subjected her to discrimination based on her pregnancy status when it did not permit her to make up missed assignments in an Educational Psychology course.

As a recipient of Federal financial assistance from the Department, the College is subject to the requirements of Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681, et seq., and its implementing regulation at 34 C.F.R. Part 106, which prohibits discrimination on the basis of sex. Accordingly, OCR has jurisdiction over this complaint.

OCR began an investigation of the following legal issues:

1. Whether the College discriminated against or excluded the Complainant from its educational program or activity, including any class, on the basis of the Complainant's pregnancy, childbirth, or recovery therefrom, in violation of the regulation implementing Title IX at 34 C.F.R. § 106.40(b)(1); and
2. Whether the College, to the extent that it does not have a leave policy for its students, or to the extent that the Complainant did not otherwise qualify for leave under such a policy, failed to treat pregnancy, childbirth, and recovery therefrom as a justification for a leave of absence for so long a period of time as deemed medically necessary by the Complainant's physician in violation of the regulation implementing Title IX at 34 C.F.R. § 106.40(b)(5).

During OCR's investigation of this complaint, the College offered to resolve the complaint allegations. Pursuant to OCR's procedures, a complaint may be resolved when, before the conclusion of an investigation, the recipient requests to resolve the complaint. Based on the foregoing, OCR accepted the College's request to resolve this complaint and the College entered

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into the enclosed Resolution Agreement (Agreement), which when fully implemented, will resolve the issues in this complaint.

OCR will monitor the implementation of the agreement until the recipient is in compliance with the statutes and regulations at issue in the case. If the College fails to fully implement the Agreement, OCR will reopen the case and take appropriate action to ensure compliance with Title IX.

This concludes OCR's investigation of the complaint and should not be interpreted to address the College's compliance with any other regulatory provision or to address any issues other than those addressed in 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 duly authorized OCR officials and made available to the public.

Please be advised that the College 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. The Complainant may have the right to file a private suit in federal court whether or not OCR finds a violation.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records, upon request. If we receive 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.

This concludes OCR's consideration of this complaint, which we are closing effective the date of this letter. If you have any questions regarding this matter, please contact Adrienne Harris at (404) 974-9370 or Andrea de Vries, Compliance Team Leader, at (404) 974-9314.

Sincerely,

/s/

Deborah Floyd  
Acting Regional Director