

- **EEOC v. Newman University**

No. 2:05-CV-02404-KHV (D. Kan. March 13, 2006)

The St. Louis District Office filed this Title VII case alleging that defendant, a Catholic liberal arts school in Wichita, Kansas, refused to promote charging party to Vice President of Enrollment Management (VP-Enrollment), based on her sex (female), and demoted her in retaliation for her complaints about sex discrimination. CP had received several promotions over her 12 years with defendant and was the Dean of Admissions when her boss, the female VP-Enrollment, resigned in August 2004. CP immediately began performing the VP-Enrollment's duties along with her own. Despite university policy requiring internal posting before jobs could be advertised externally, defendant failed to internally post the VP-Enrollment position. CP nevertheless applied to the external announcement. In September 2004, university President Aidan Dunleavy told CP that none of the applicants had been qualified and he was going to bring in a consultant (male). CP confronted Dunleavy with two instances in which he had expressed an intention to hire men for management positions, including the VP- Enrollment position, and told him she knew filling the VP-Enrollment job would "come down to gender." CP then filed a sex discrimination charge with the EEOC. Six days after the EEOC mailed the charge to defendant, the male consultant began work as the Interim VP-Enrollment. Three days later, on October 14, 2004, defendant changed CP's title to Director of U.S. Admissions and reduced her duties from handling four departments financial aid, admissions, visitors center, and admissions recruiters to handling only admissions recruiters. CP resigned the following day.

Under the 3-year consent decree resolving this case, CP will receive \$182,000 in monetary relief. The decree prohibits defendant from discriminating against applicants or employees and from engaging in retaliation or reprisal under Title VII. Defendant will place copies of CP's discrimination charge and the consent decree in former President Dunleavy's permanent personnel file. (Dunleavy's resignation was announced in December 2005, 3 months after EEOC's suit was filed.) In addition, defendant will revise its antidiscrimination policy to include multiple avenues for reporting allegations of discrimination (including reporting complaints against the President directly to the Chairman of the Board of Trustees), and will require managers to report all instances of discrimination.