



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

500 WEST MADISON ST., SUITE 1475
CHICAGO, IL 60661-4544

REGION V
ILLINOIS
INDIANA
IOWA
MINNESOTA
NORTH DAKOTA
WISCONSIN

August 5, 2016

Dr. Lake Lambert
President
Hanover College
484 Ball Drive
Hanover, Indiana 47243

Re: OCR Docket # 05-16-2281

Dear Dr. Lambert:

This letter is to notify you that the U.S. Department of Education (Department), Office for Civil Rights (OCR) has received and evaluated the above-referenced complaint, filed with OCR on June 20, 2016, against Hanover College (College), alleging discrimination on the basis of sex and disability. We conducted the evaluation in accordance with OCR's *Case Processing Manual* to determine whether to open the complaint for investigation.

The complaint alleges the following:

Non Responsive

Allegation #1 of this complaint raises whether the College fails to provide prompt and equitable grievance procedures to students Non Responsive of sexual misconduct.

OCR is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681-1688, and its implementing regulation, 34 C.F.R. Part 106, and Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104. Title IX prohibits discrimination on the basis of sex in any education program or activity operated by a recipient of Federal financial assistance, and Section 504 prohibits discrimination on the basis of disability by recipients of Federal financial assistance. As a recipient of Federal financial assistance from the Department, the College is subject to these laws. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

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

www.ed.gov

Because OCR has determined that it has jurisdiction and that the complaint was filed timely, OCR is opening the allegations for investigation. Please note that opening the allegations for investigation in no way implies that OCR has made a determination with regard to their merits. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the complainant, the recipient, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and is dispositive of the allegations, in accordance with the provisions of Article III of the *Case Processing Manual*.

When appropriate, a complaint may be resolved before the conclusion of an investigation after the recipient asks OCR to resolve the complaint. In such cases, a resolution agreement signed by the recipient and submitted to OCR must be aligned with the complaint allegations or the information obtained during the investigation and it must be consistent with applicable regulations. Information about this is in the enclosure to this letter.

Please read the enclosed document entitled “OCR Complaint Processing Procedures,” which includes information about:

- OCR’s complaint processing procedures;
- Regulatory prohibitions against retaliation and intimidation of persons who file complaints with OCR or participate in an OCR investigation; and
- Application of the Freedom of Information Act and the Privacy Act to OCR investigations.

OCR intends to conduct a prompt investigation of this complaint. The regulation implementing Title VI of the Civil Rights Act of 1964 at 34 C.F.R. §100.6(b) and (c) requires that a recipient of Federal financial assistance make information that may be pertinent to reach a compliance determination available to OCR. This requirement is incorporated by reference by the regulation implementing Title IX at 34 C.F.R. § 106.71 and the regulation implementing Section 504 at § 104.61. Pursuant to 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii), of the regulation implementing the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, OCR may review personally identifiable records without regard to considerations of privacy or confidentiality.

Accordingly, OCR is requesting that you forward the following information to us within twenty (20) calendar days from the date of this letter. Wherever possible, please provide the requested information in electronic format. If responsive data are available through the Internet, please provide the link.

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Non Responsive

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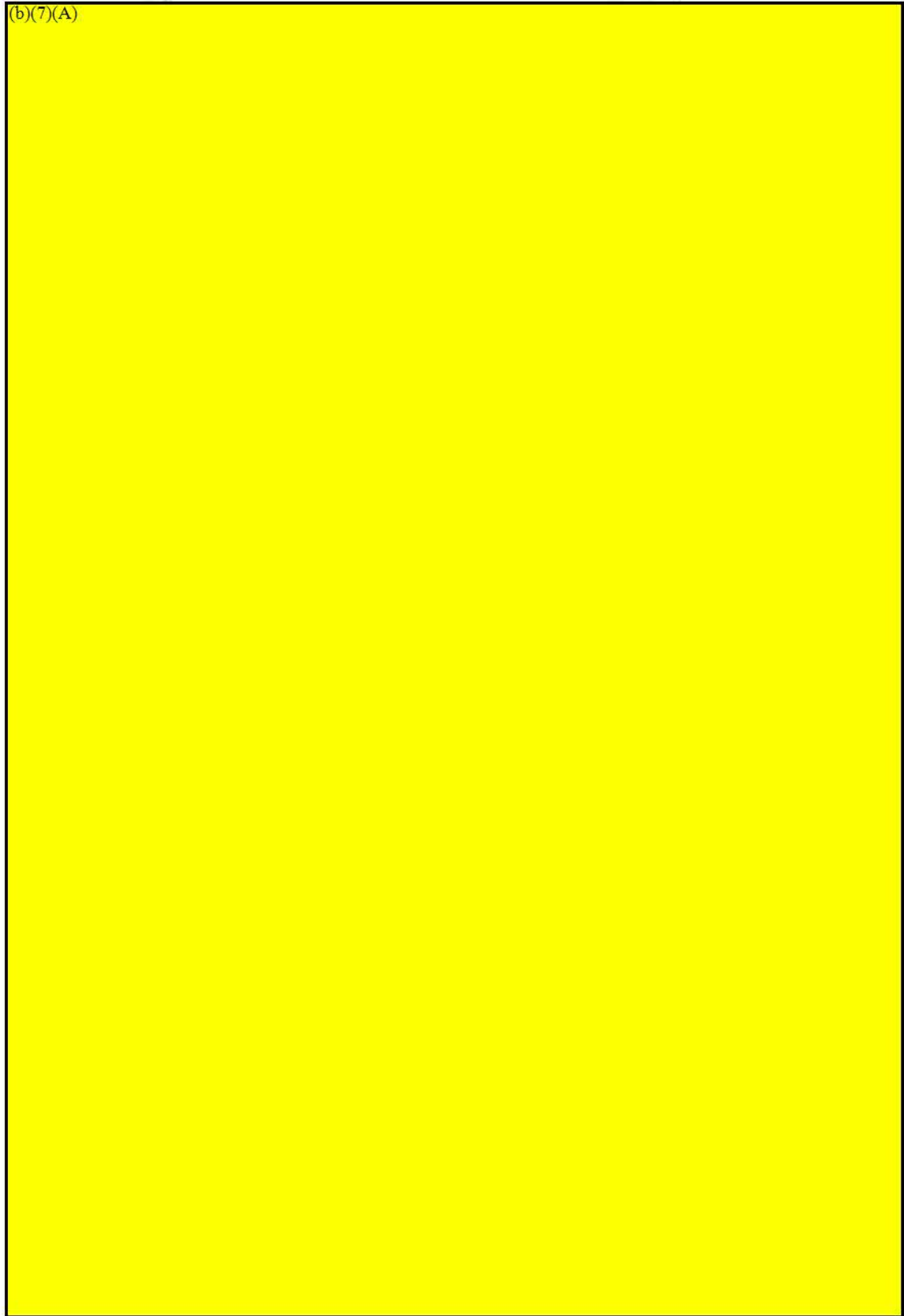
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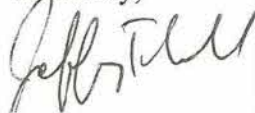
Thank you for your cooperation in this matter. In addition to the information requested above, OCR may need to request additional information and interview pertinent personnel. If an on-site visit is necessary, we will work to schedule a mutually convenient time for the visit.

Please notify OCR of the name, address, and telephone number of the person who will serve as the College's contact person during the processing of this complaint. We would like to talk with this person as soon as possible to discuss the processing of this complaint and at that time, we will provide the identity of Student A.

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OCR is committed to prompt and effective service. If you have any questions, please contact TiShaunda McPherson, Civil Rights Attorney, at (312) 730-1633 or by e-mail at TiShaunda.McPherson@ed.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffrey Turnbull". The signature is written in a cursive, somewhat stylized font.

Jeffrey Turnbull
Team Leader

Enclosure