



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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

May 22, 2013

REGION V
ILLINOIS
INDIANA
IOWA
MINNESOTA
NORTH DAKOTA
WISCONSIN

(b)(6); (b)(7)(C)

Re: OCR #05-13-2112

Dear (b)(6); (b)(7)(C)

This is to notify you that the U.S. Department of Education (Department), Office for Civil Rights (OCR), has carefully evaluated one allegation in the above-referenced complaint you filed with OCR on February 21, 2013, against Hanover College (College) alleging discrimination on the basis of sex and also alleging retaliation. We conducted the evaluation in accordance with OCR's *Case Processing Manual* to determine whether to open the complaint for investigation. We have determined that we have the authority to investigate the retaliation allegation in your complaint and are still evaluating the other allegation, as set forth below.

The complaint alleges that:

1. During the (b)(6); (b)(7)(C) academic year, the College subjected you to discrimination on the basis of sex when a male student at the College sexually assaulted you, and the College was aware of the assault but did not respond appropriately; and
2. in (b)(6); (b)(7)(C) the College subjected you to retaliation for filing a sexual harassment grievance with the College when it (a) refused to provide you a copy of its investigative file concerning your grievance and (b) denied you (b)(6); (b)(7)(C)

OCR is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX), as amended, 20 U.S.C. § 1681, and its implementing regulation at 34 C.F.R. Part 106. Title IX prohibits retaliation and discrimination based upon sex in any educational program or activity operated by a recipient of Federal financial assistance. As a recipient of Federal financial assistance from the Department, the College is subject to this law.

OCR is continuing to evaluate allegation #1 in your complaint and will advise you once a determination is made regarding whether OCR will open this allegation for investigation.

Because OCR has determined that it has jurisdiction and that allegation #2 was filed timely, it is opening the allegation for investigation. Please note that opening the allegation for investigation in no way implies that OCR has made a determination with regard to its merit. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the

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

(b)(6), (b)(7)(C)

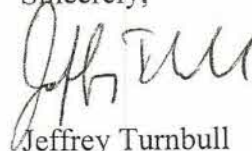
complainant, the recipient, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and is dispositive of the allegation, in accordance with the provisions of Article III of the *Case Processing Manual*.

OCR offers, when appropriate, an Early Complaint Resolution (ECR) process to facilitate the voluntary resolution of complaints by providing an early opportunity for the parties involved to resolve the allegation. Some information about the ECR process is in the enclosure to this letter.

In addition, when appropriate, a complaint may be resolved before the conclusion of an investigation when the recipient expresses an interest to resolve the complaint. In such cases, a resolution must be aligned with the complaint allegation 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.

OCR is committed to prompt and effective service. If you are interested in resolving your complaint through OCR's ECR process or have any questions, please contact TiShaunda McPherson, Civil Rights Attorney, at (312) 730-1633 or by email at TiShaunda.McPherson@ed.gov.

Sincerely,



Jeffrey Turnbull
Team Leader

Enclosure