

From: [OCR Chicago](#)  
To: [Turnbull, Jeff](#)  
Subject: FW: OCR Electronic Complaint Submission  
Date: Friday, February 22, 2013 10:25:08 AM

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-----Original Message-----

From: ocr\_complaint@ed.gov [[mailto:ocr\\_complaint@ed.gov](mailto:ocr_complaint@ed.gov)]  
Sent: Thursday, February 21, 2013 6:36 PM  
To: (b)(6); (b)(7)(C) OCR Chicago  
Subject: OCR Electronic Complaint Submission

PLEASE DO NOT REPLY TO THIS E-MAIL. THIS E-MAIL ADDRESS IS USED BY DEPARTMENT OF EDUCATION AUTOMATED SYSTEMS AND IS NOT MONITORED.

Your complaint with the Office for Civil Rights, a copy of which is reproduced below, has been automatically forwarded to the following office for review:

Office for Civil Rights/ED  
Chicago Office  
500 W. Madison Street, Suite 1475  
Chicago, IL, 60661-4544

So that we can best assist you, we call your attention to the following:

1. If you need to communicate with OCR regarding your complaint before you are contacted directly, please do not reply to this message, which would result in your reply going to a send-only server address. Instead, please direct your correspondence to the above office at [OCR.Chicago@ed.gov](mailto:OCR.Chicago@ed.gov).
2. If you need to modify or supplement your complaint, please do not use the complaint form to submit another complaint with the new information. Instead, you may simply send an email to the office that has your complaint. Filing duplicative complaints may impede our ability to review your concerns in a timely manner. (If you have a separate complaint involving other matters, you may of course use this form to submit it.)
3. Remember that before OCR can process your complaint it must receive at the above address a signed copy of the Office for Civil Rights Consent Form, which you can obtain at <http://www.ed.gov/about/offices/list/ocr/edlite-consentform.html>.
4. It is recommended that you print a copy of this message and retain it for your records.

The following information has been sent to the specified office:

#### OCR COMPLAINT FORM

1. Enter information about you.

Your First Name: (b)(6); (b)(7)(C)      Your Last Name: (b)(6); (b)(7)(C)  
Your Address: (b)(6); (b)(7)(C)  
City: (b)(6); (b)(7)(C)

State: (b)(6); (b)(7) Zip Code: (b)(6); (b)(7)(C)

Best Time to Call You: EVENING Primary Phone No: (b)(6); (b)(7)(C)

Alternative Phone No:

Your Email Address: (b)(6); (b)(7)(C)

2. Who else can we call if we cannot reach you?

Contact's Name:

Daytime Phone No:

Relationship to you:

3. Who was discriminated against?

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

4. What institution discriminated?

Institution Name: Hanover College

Address: 484 Ball Drive

City: Hanover

State: IN

Zip Code: 47243

School or department involved: Hanover

5. Have you tried to resolve the complaint through the institution's grievance process, due process hearing, or with another agency?

Yes

Agency Name: Disciplinary Committee

Date Filed: (b)(6); (b)(7)(C) (mm/dd/yyyy)

Status: Closed

6. Describe the discrimination

OCR enforces regulations that prohibit discrimination on the basis of race, color, national origin; sex; disability; and/or age.

All that apply:

sex

Why you believe the discrimination was because of race, sex, disability, or whatever basis you indicated above or why you believe the action was retaliatory.

All of the discriminatory actions occurred over various times from (b)(6); (b)(7)(C) until (b)(6); (b)(7)(C)

The first action occurred the day I decided to file a sexual assault complaint. The security officer (b)(6); (b)(7)(C) is the one I first person I told this too, and he lead me into a back room to write a report and left me there to write it. A little while later when I was done I return to the main room and handed him the paper and that is when he told me he had contacted the Dean and had a no contact order in place for me against him. At this point, I was already upset, but I was really upset when he told me this because I had the Dean for a class and I did not want him to know and because he did this without asking me to do it. He then continued to tell me that if I talked to him I would be arrested and this is when I completely broke down and left for my room. He had my number for when a police officer arrived because I did tell him I wanted to speak to a cop. A little over an hour later he called me and said the cop was on his way to the college. I returned to the security office and many more officers were now in there, unlike earlier when only (b)(6); (b)(7)(C) was in the officer. (b)(6); (b)(7)(C) and one other officer were there now. I just walked in and sat down because at this point I was scared to death to talk to the cop because I thought I was going to be arrested if I said something wrong because (b)(6); (b)(7)(C) told me he would have me arrested if I talked to the person I filed the charge on. While I was sitting there, another officer (b)(6); (b)(7)(C) approached me and he told me they would have me arrested if I attempted to contact the person I filed the charge against. At this point all I wanted to do was go home, and I had already called my parents and they were on there way. They arrived and the cop was still not there after waiting for him for over two hours. At that point I told them I just wanted to go home and they told me I couldn't so they called the cop and told him I wanted to leave and he told me to write down that I didn't want to talk to him. So I did because I was scared to talk to him and I did not want to be around the security officers anymore because they were being very mean and rude to me. The only officer who was being nice to me was (b)(6); (b)(7)(C)

Later on, when I was able to read the report before the "trial" here I discovered files were missing and that (b)(6); (b)(7)(C) and put into his statements things I did not do and had not said. I burst into tears and told (b)(6); (b)(7)(C) I did not say certain things and did not do these things and also told her what was missing. She said okay and then I left the office.

During the trial I was asked questions that did not pertain to that night and it really upset me because they asked a very personal question that I had to explain to them which made me really upset, and I did not discuss the actual sexual assault with them.

Later on I got the verdict and they gave me a paper stating that he did not commit the sexual assault and no action would be taken against him. I had a chance to look over the files again, and documents were still missing from the case that I had asked to be put in there and the statements (b)(6); (b)(7)(C) made that were false were still in there. I was again upset and asked for them to be put in the file because I believed they were important such as phone records, there was an instance where he came up to me and told me he was not getting into trouble that was not put into the documents and also the police records from his ex-girlfriend who had called me and asked to submit a statement and offered to show the police reports that showed that he had lied to the police even though they had a journal written in his handwriting. Also, I was written up for contact with him because we did text back and fourth because (b)(6); (b)(7)(C) I do not believe he was written up for contacting me though.

Also, not included in the statement was that he lied to officer (b)(6); (b)(7)(C). He had gone to the security office and showed that I had texted him, but had deleted all of his messages to me. I saw going to the security office and knew what he was doing, so I went in after (b)(6); (b)(7)(C) escorted him out and asked me if I had texted him and I said yes did he say he had texted me, and (b)(6); (b)(7)(C) said no he said he did not text you. I then gave (b)(6); (b)(7)(C) the text records showing that he had in fact texted me. This statement was NOT put into the case files for the trial that he had texted me and lied about it. Also, (b)(6); (b)(7)(C) knew that he was friends with (b)(6); (b)(7)(C) I had asked several times for (b)(6); (b)(7)(C) to be removed from the case due to conflict of interest, but he never was no matter how

many times I complained. Then, in May I received a message from the guy's Mom I filed the report on saying she had all the copies of the accusations that I had of him and if I did not stop trying to get him into trouble I was going to be in trouble. At that point I immediately contacted security and let the Dean know and had my parents take me home and the next day I went to the court house and had a protection order filed on her and him. They passed the order of protection on him, but not her. I asked the Dean if she had gotten copies of the case files and he would not give me a yes or no answer. Then over the summer I asked for the case files so I could show them to a lawyer and they refused to let me have them. When I asked them if they gave it to his mom but not me, I once again did not get a direct answer. I do believe his mom got copies of the case file, which contains very sensitive information.

7. Your complaint must be filed within 180 days of the discriminatory action

When did the last act of discrimination occur?

Enter the date: (b)(6); (b)(7) (mm/dd/yyyy)  
(C)

Are you requesting a waiver of the 180-day filing time limit for discrimination that occurred more than 180 days before the filing of this complaint?

Yes. Reason for not filing complaint before 180 days. I do know it is over the 180 day limit, but I did not know the department of education dealt with discrimination cases. I have tried through lawyers and even the guys fraternities nationals to get something done, but I am always stopped by the school because they will not give me any of the files in the case, including my own statements. If I had known I could file a complaint against the school through here, I would have as soon as I could! I do feel like I was treated very unfairly and wrongly, and I do believe some training and what is right needs to be done. The only reason I knew that I could file here is because a journalist heard about my story and contacted me. He turned out to be a great help and contact the DOE for me and got me in touch with the person who deals with these cases.

8. What would you like the institution to do as a result of your complaint - what remedy are you seeking?

I am seeking training for the school and to see if what was done harmed the case in anyway and caused the outcome that happened, and if so I do believe an outside source needs to handle it instead to get a true outcome.

Do you have written information that you think will help us understand your complaint?

No