



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

400 MARYLAND AVENUE, SW
WASHINGTON, DC 20202-1475

REGION XI
NORTH CAROLINA
SOUTH CAROLINA
VIRGINIA
WASHINGTON, DC

December 8, 2015

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

Re: OCR Complaint No. 11-16-2014
Notification Letter

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

On (b)(6); (b)(7)(C) the Office for Civil Rights (OCR) of the U.S. Department of Education (the Department) received your complaint against Virginia Commonwealth University (the University). You filed the complaint on behalf of a former student (the Student) at the University. You allege that the University discriminated against the Student on the basis of sex. Specifically, the complaint alleges that the University failed to promptly and equitably respond to her report of sexual assault and, as a result, the Student was subject to a sexually hostile environment.

If you disagree with the way OCR stated your allegations, please contact the OCR staff persons identified below within 10 days of the date of this letter.

OCR is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex, including sexual harassment, in any program or activity receiving Federal financial assistance. The University receives Federal financial assistance from the Department and therefore is subject to the provisions of Title IX and its implementing regulation. Because the University receives Federal financial assistance from the Department, OCR has jurisdiction over it pursuant to Title IX.

Because OCR determined that it has jurisdiction and that the complaint was timely filed, OCR is opening the complaint for investigation. Please note that opening the complaint for investigation in no way implies that OCR has made a determination on the merits of the complaint. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from you, the University, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and fully responds to the complaint in accordance with the provisions of the *Case Processing Manual*, available at <http://www.ed.gov/ocr/docs/ocrcpm.pdf>.

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

Please be advised that the University must not harass, coerce, intimidate, discriminate, or otherwise retaliate against an individual because that individual asserts a right or privilege under a law enforced by OCR or files a complaint, testifies, or participates in an OCR proceeding. If this happens, the individual may file a retaliation complaint with OCR.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. If OCR receives such a request, we will seek to protect personally identifiable information that could reasonably be expected to constitute an unwarranted invasion of personal privacy if released, to the extent provided by law.

If you have any questions, please contact one of the OCR attorneys assigned to this complaint: Samantha Shofar, at 202-453-4929 or samantha.shofar@ed.gov, or Jennifer Barmon, at 202-453-6751 or jennifer.barmon@ed.gov.

Sincerely,

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

David Hensel
Supervisory Attorney, Team III
District of Columbia Office
Office for Civil Rights