



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

July 14, 2015

Via U.S. mail and via e-mail at president@vcu.edu

Michael Rao, Ph.D.

President

Virginia Commonwealth University

P.O. Box 842512

Richmond, Virginia 23284-2512

Re: OCR Complaint No. 11-15-2237
Notification/Data Request Letter

Dear Dr. Rao:

This letter is in reference to a complaint that was filed with the District of Columbia Office for Civil Rights (OCR), within the U.S. Department of Education (the Department), on (b)(6); (b)(7)(C) against the Virginia Commonwealth University (the University). The Complainant alleges the University failed to promptly and equitably respond to complaints, reports and/or incidents of sexual harassment and sexual violence, including her report of sexual assault and her separate report of sexual harassment, and, as a result, students, including the Complainant, were subject to a sexually hostile environment.

On July 7, 2015, OCR provided the University's counsel, by telephone, the name of the Complainant.

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 OCR has determined that it has jurisdiction and that the complaint was filed timely, OCR is opening the above allegation for investigation. Please note that opening the allegation for investigation in no way implies that OCR has made a determination with regard to the merits of the complaint. 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 allegation in accordance with the provisions of the Case Processing Manual, available at <http://www.ed.gov/about/offices/list/ocr/docs/ocrcpm.html>. Our goal is the prompt, appropriate resolution of the allegation contained in the complaint.

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

Also, attached is a request for data necessary to pursue resolution of this complaint. OCR's authority for obtaining information is provided in the Department's regulation implementing Title VI, at 34 C.F.R. § 100.6(c), which is incorporated by reference in the Title IX regulation at 34 C.F.R. § 106.71. OCR is requesting that the University submit this information within 15 days of the date of this letter (i.e., by **July 29, 2015**). If any item in our request is unclear, please contact us at the telephone numbers provided below. If you experience any difficulty complying with this request, you should notify us prior to the expiration of the 15-day period. Please be aware that we anticipate conducting an on-site investigation of the complaint. We will notify you in advance of our proposed plans to visit the University.

We have advised the Complainant that the University may not retaliate against an individual who asserts a right or privilege under a law enforced by OCR or who files a complaint, testifies, or participates in an OCR proceeding. If this happens, the individual may file a retaliation complaint with OCR. Also, 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, to the extent provided by law, personal information that, if released, could constitute an unwarranted invasion of privacy.

We look forward to your cooperation during the resolution of this complaint. If you have any questions, feel free to contact either of the attorneys assigned to this case, Samantha Shofar at (202) 453-5929 or via e-mail at samantha.shofar@ed.gov or Jennifer Barmon at (202) 453-6751 or via e-mail at jennifer.barmon@ed.gov. Documentation may be forwarded by e-mail or by fax to (202) 453-6021.

Sincerely,

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

Kay Bhagat (b)(6); (b)(7)(C)
Team Leader, Team III
District of Columbia Office
Office for Civil Rights

Enclosure

cc: (b)(6)

**Virginia Commonwealth University
OCR Complaint No. 11-15-2237
Data Request**

(b)(7)(A)



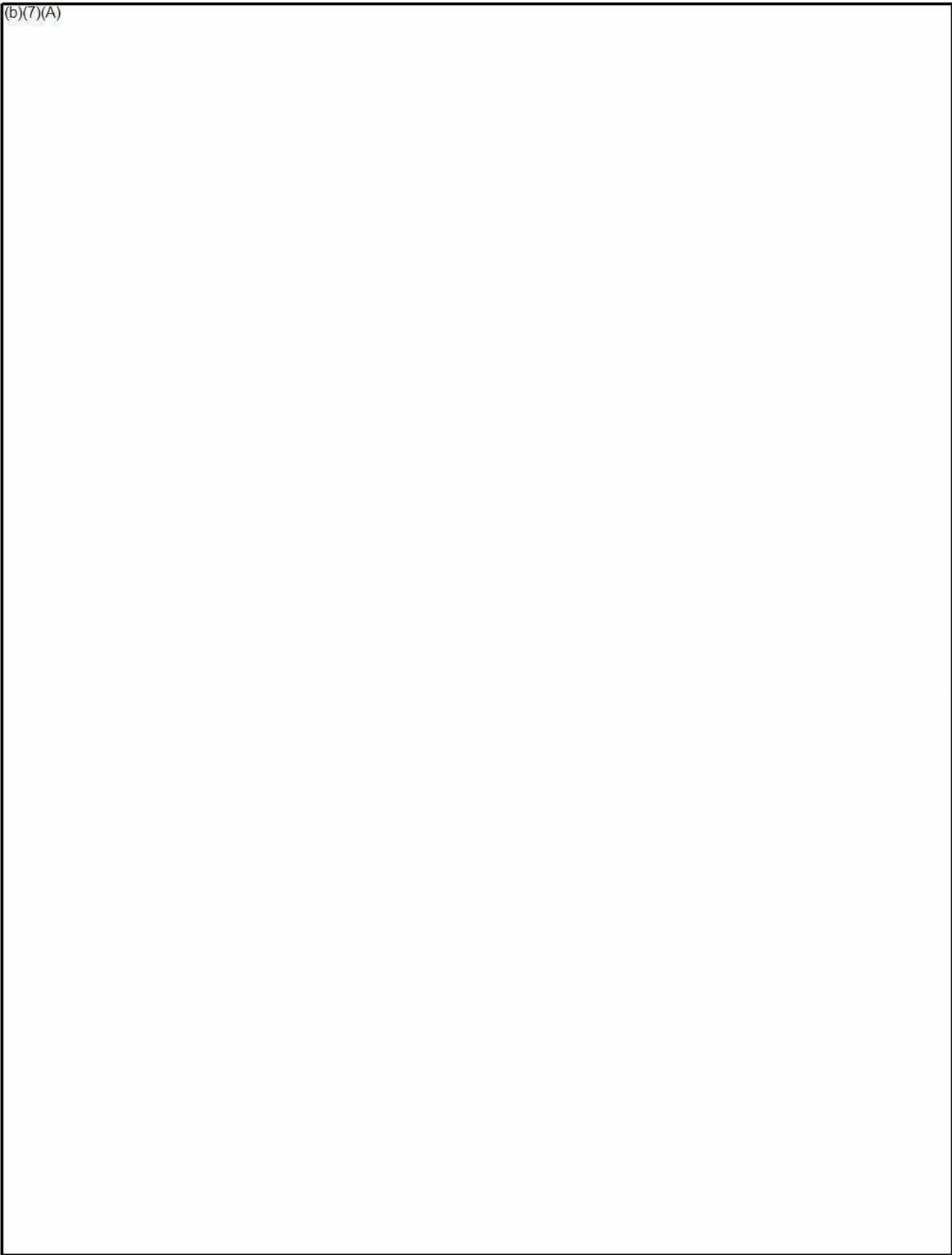
(b)(7)(A)



(b)(7)(A)



(b)(7)(A)



(b)(7)(A)



(b)(7)(A)

