



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS, REGION I

5 POST OFFICE SQUARE, 8<sup>TH</sup> FLOOR  
BOSTON, MASSACHUSETTS 02109-3921

NOV 30 2012

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

Re: Complaint No. 01-13-2008

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

The U.S. Department of Education's Office for Civil Rights (OCR) is opening for investigation the above-referenced complaint that you filed with our office on (b)(6); (b)(7)(C). In your complaint, you alleged that the Massachusetts Maritime Academy (Academy) failed to promptly and equitably respond to your daughter's report of a sexual assault in the fall of 2012. You informed us that you brought your concerns to both the President of the Academy and its Title IX coordinator on separate occasions to no avail. You alleged that, once local law enforcement became involved in the matter, the Academy stopped responding to your concerns entirely.

OCR is charged with ensuring institutional compliance with Title IX of the Education Amendments of 1972 and its implementing regulation at 34 C.F.R. Part 106 (Title IX). Title IX prohibits discrimination on the basis of sex. The Academy is subject to the requirements of Title IX because it receives Federal financial assistance from the U.S. Department of Education.

Based on the information presented, OCR will investigate whether the Academy failed to respond to your daughter's report of sexual assault in a prompt and equitable manner, in violation of 34 C.F.R. Sections 106.8(b) and 106.31.

Please note that opening this complaint for investigation in no way implies that OCR has made a determination with regard to the merits of the allegations. 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 dispositive of the allegations, in accordance with the provisions of OCR's *Case Processing Manual*, which can be found online at: <http://www.ed.gov/about/offices/list/ocr/docs/ocrcpm.html>.

Today we provided the Academy with a similar letter, outlining your allegations and the issues we are investigating. We also asked them to respond to a request for specific documents that we are interested in reviewing. Following our review, it is common for

us to travel to the institutions being investigated and interview relevant faculty, staff, and community members. Please feel free to contact us at any time and we can give you an update on how we are progressing in this matter.

If you have any questions regarding this letter, please contact Civil Rights Investigator Molly O'Halloran at (617) 289-0058 or Molly.O'Halloran@ed.gov, or Civil Rights Attorney Phil Catanzano at (617) 289-0038 or Philip.Catanzano@ed.gov. You may also contact me at (617) 289-0044.

Sincerely,

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

Ralph B. D'Amico, Jr.  
Compliance Team Leader