



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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

REGION V  
ILLINOIS  
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MINNESOTA  
NORTH DAKOTA  
WISCONSIN

December 23, 2016

Ms. Laura Dunn  
SurvJustice, Inc.  
1629 K Street NW, Suite 300  
Washington, D.C. 20006

Re: OCR #05-17-2055

Dear Ms. Dunn:

This is to notify you that the U.S. Department of Education (Department), Office for Civil Rights (OCR), has carefully evaluated the above-referenced complaint you filed on November 28, 2016, against the University of Notre Dame (University) alleging discrimination on the basis of sex on behalf of your client. 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 this complaint.

Specifically, the complaint alleges that beginning in the 2015-2016 academic year, the University subjected a female undergraduate student (Student A) to discrimination based on sex. The complaint raises whether the University fails to promptly and equitably respond to complaints, reports and/or incidents of sexual violence of which it had notice, including Student A's report of Non Responsive thereby creating for students a sexually hostile environment.

OCR is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX), as amended, 20 U.S.C. §§ 1681-1688, and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any program or activity that receives Federal financial assistance from the Department. As a recipient of Federal financial assistance from the Department, the University is subject to this law. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

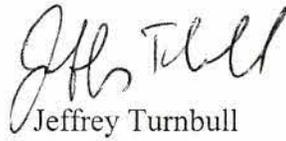
Because OCR has determined that it has jurisdiction and that the complaint was filed timely, it is opening the allegation for investigation. Please note that opening the allegation for investigation in no way implies that OCR has made a determination with regard to its merit. During the investigation,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

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

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. We will communicate with you periodically regarding the status of your complaint. If you have any questions, please contact Salina Gamboa, Equal Opportunity Specialist, at 312-730-1627 or [Salina.Gamboa@ed.gov](mailto:Salina.Gamboa@ed.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Turnbull". The signature is written in a cursive style with a large initial "J".

Jeffrey Turnbull  
Team Leader

Enclosure