



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS—REGION VII

March 30, 2012



Re: OCR Docket No. 07122007



On October 14, 2011, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received your complaint against the University of Kansas (University), Lawrence, Kansas, alleging discrimination on the basis of sex. This letter is to confirm the University has voluntarily submitted a Resolution Agreement (Agreement) to resolve your complaint.

You clarified your complaint during telephone discussions with members of my staff on October 20 and October 27, 2011. Specifically, you alleged the University discriminated against you, a female student, by failing to take prompt and appropriate investigative and remedial action in response to your reported sexual assault that occurred on the University campus by a University employee.

OCR is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX), 20 United States Code (U.S.C.) § 1681, and its implementing regulation, 34 Code of Federal Regulations (C.F.R.) Part 106. Title IX prohibits discrimination on the basis of sex in any education program or activity operated by a recipient of federal financial assistance (FFA).

As a recipient of FFA from the Department, the University is subject to Title IX. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

Prior to the completion of OCR's investigation, the University submitted a signed Agreement (copy enclosed) on March 29, 2012 that, when fully implemented, will address the allegations of this complaint. The Agreement requires the University to: 1) revise its policies and procedures to ensure that students enrolled in the University are not subjected to a hostile environment on the basis of sex; 2) to ensure that all incidents of sexual harassment of which the University has notice are promptly investigated and appropriate disciplinary actions are taken with respect to students,

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faculty or staff who violate University policies and procedures addressing sexual harassment; 3) provide all faculty and staff, including full-time and part-time faculty and staff and adjunct faculty with annual training regarding the University's Title IX policies, procedures and practices; 4) conduct a climate check to gauge the issue of sexual harassment on campus; 5) include in its new student orientation, freshman orientation program, and/or other student programming a series of informational topic(s) to ensure that students are aware of the University's prohibition against sex discrimination (including sexual harassment and sexual assault); 6) provide on an annual basis residence life programming for students residing in campus housing a topic to ensure that students are aware of the University's prohibition against sex discrimination (including sexual harassment and sexual assault); 7) conduct exit interviews with female students who leave the University to determine if their departure is related to sex discrimination or sexual harassment; 8) provide you a written letter of assurance affirming the University's commitment to a campus environment free from all harassment; providing contact information of University staff to contact for reporting discrimination based on sex and sexual harassment; affirming the University's commitment to conducting a prompt investigation and levying disciplinary sanctions concerning violations of the University's sexual harassment policies and its policy prohibiting retaliation and intimidation; describing the University's resources for information and education regarding discrimination based on sex, sexual harassment and sexual violence; affirming the University's commitment to assist you with continuing your education at the University, including a description of any specific steps or accommodations the University will take given the University's delay in investigating your complaint; and affirming the University's commitment to reviewing and revising its policies and procedures in accordance with this Agreement. Please consult the Agreement for further details.

OCR considers the allegations of this complaint resolved effective the date of this letter and will monitor the University's implementation of the Agreement. When OCR concludes the University has fully implemented the terms of the Agreement, OCR will close the complaint. If the University fails to carry out the Agreement, OCR may resume the investigation.

This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public. You may have the right to file a private suit in Federal court whether or not OCR finds a violation.

OCR is committed to prompt and effective service. If you have any questions, please contact Adriene Payne, Equal Opportunity Specialist, at (816) 268-0580 (voice) or

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(877) 521-2172 (telecommunications device for the deaf), or via e-mail at
adriene.payne@ed.gov.

Sincerely,

Arthur W. Solís

Arthur W. Solís
Designated Team Leader

Enclosure