



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

March 27, 2017

Via Email, [president@vcu.edu](mailto:president@vcu.edu)

Dr. Michael Rao  
President  
Virginia Commonwealth University  
910 West Franklin Street  
P.O. Box 842512  
Richmond, Virginia 23284-2512

(b)(6), (b)(7)  
(C)

Re: OCR Complaint No. 11-16-2234  
Notification/Data Request Letter

Dear Dr. Rao:

The Office for Civil Rights (OCR) of the U.S. Department of Education (the Department) received a complaint on June 1, 2016 against Virginia Commonwealth University (the University). The Complainant alleges that the University failed to promptly and equitably respond to her report of sexual assault, and, as a result, she was subjected to a sexually hostile environment.

OCR will contact the University to provide the name of the Complainant.

OCR enforces 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 from the Department. 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 the Complainant, the University, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and fully responds to the allegation in accordance with the provisions of the *Case Processing Manual*, available at <http://www.ed.gov/ocr/docs/ocrcpm.pdf>. Our goal is the prompt, appropriate resolution of the complaint. Information on OCR's complaint processing procedures is available at <http://www.ed.gov/ocr/complaints-how.html>.

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

[www.ed.gov](http://www.ed.gov)

Attached is a request for data necessary to investigate this complaint. OCR requests that the University submit this information within 30 calendar days of the date of this letter (i.e., by April 26, 2017). We prefer that you submit information electronically, if feasible. If any item in our request is unclear, or if you experience any difficulty complying with this request, please contact us as provided below prior to the expiration of the 30-day period. Please be aware that OCR anticipates conducting an on-site investigation of the complaint. We will notify you in advance of our proposed plans to visit the University.

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.

We look forward to your cooperation during the resolution of this complaint. If you have any questions, please contact Samantha Shofar, the OCR attorney assigned to this complaint, at 202-453-5929 or [samantha.shofar@ed.gov](mailto:samantha.shofar@ed.gov).

Sincerely,



David Hensel  
Team Leader  
District of Columbia Office  
Office for Civil Rights

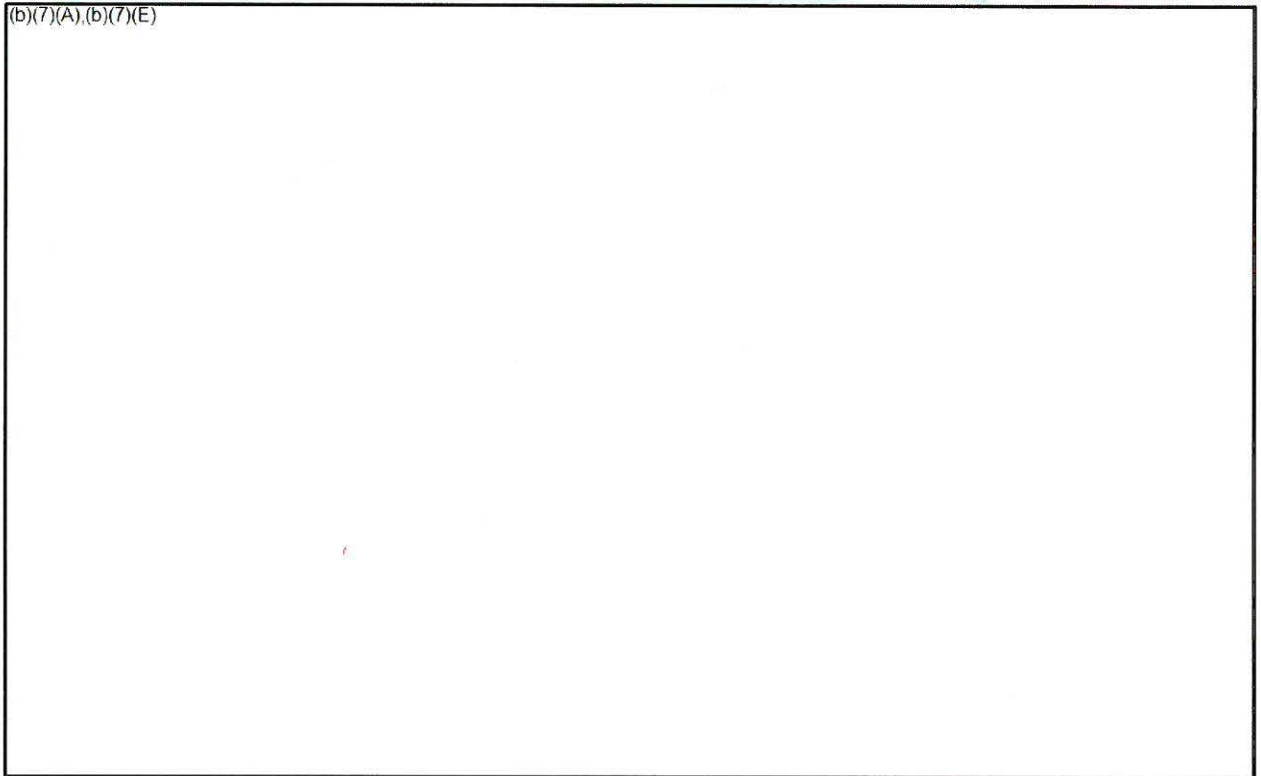
**Virginia Commonwealth University  
OCR Complaint No. 11-16-2234**

**Data Request**

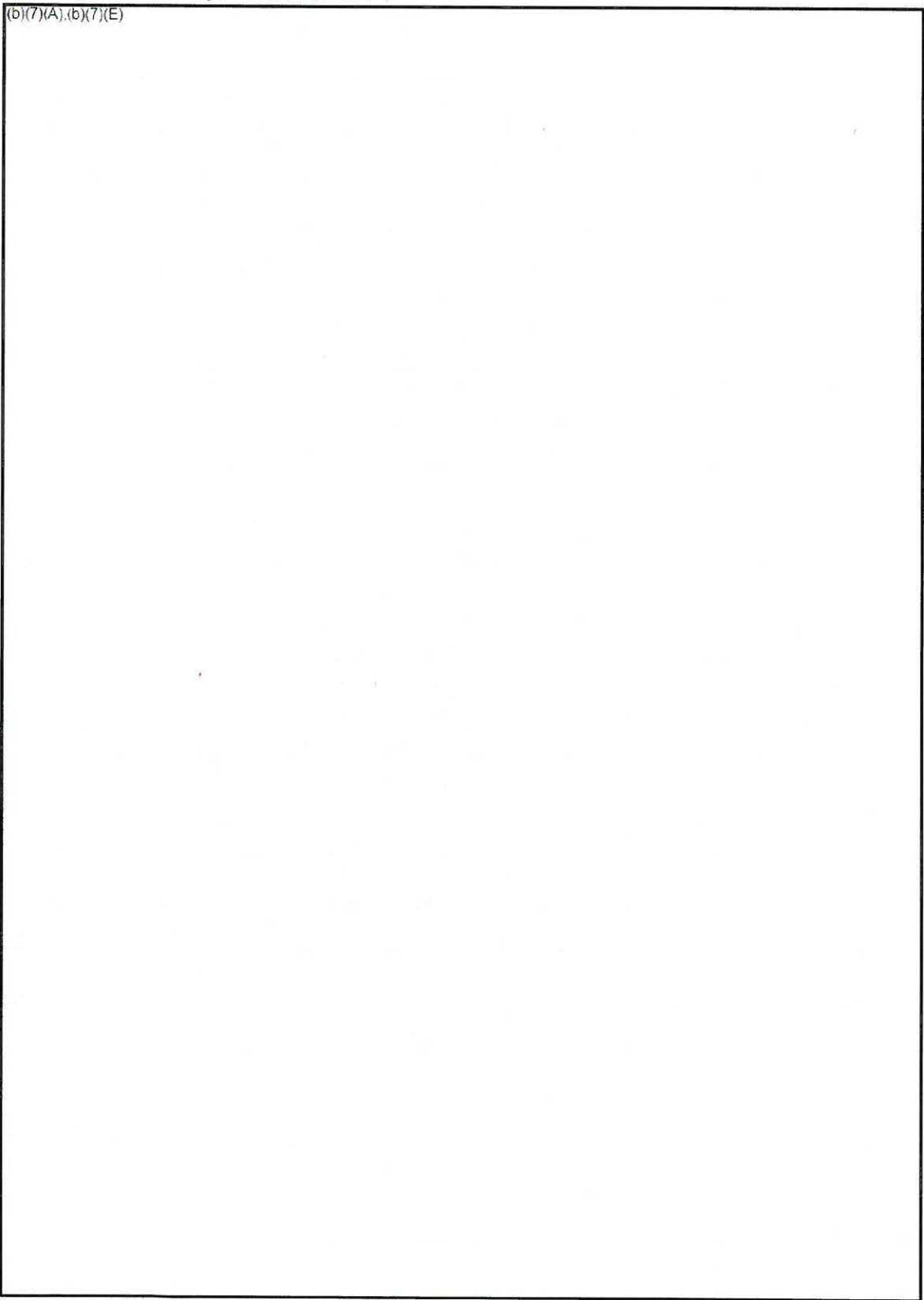
Please provide the following data by **April 26, 2017**. The Department's regulation implementing Title VI of the Civil Rights Act of 1964, at 34 C.F.R. § 100.6(c), which is incorporated by reference in the Title IX regulation at 34 C.F.R. § 106.71, gives OCR the authority to request this information.<sup>1</sup> OCR hereby notifies the University that OCR will consider the University's response to this data request to be its full and complete response pursuant to OCR's right of access to information under the regulations cited above, unless the University notifies OCR otherwise. If the University obtains any additional information or documents responsive to this data request or otherwise relevant to the allegation in this case, the University must promptly inform OCR of its existence and supplement the data response within 15 days of its discovery. OCR reminds the University that a failure to provide requested information may be considered a denial of access in violation of the regulations cited above.

Unless otherwise noted, please provide the following information for the 2015-2016, 2014-2015, and 2013-2014 academic years.<sup>2</sup> In this data request, sexual harassment is defined to include sexual misconduct, sexual assault, and sexual violence.

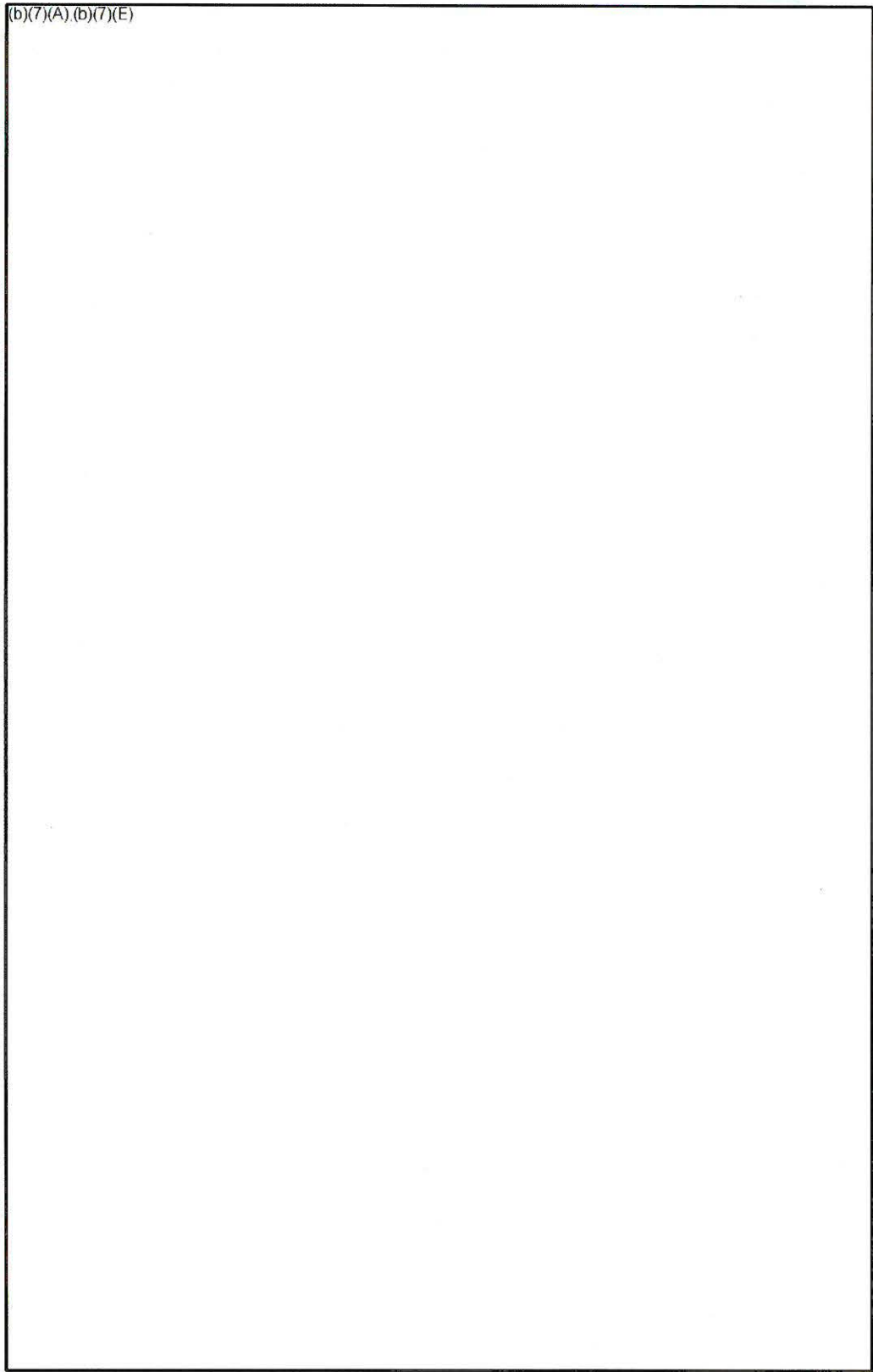
(b)(7)(A),(b)(7)(E)



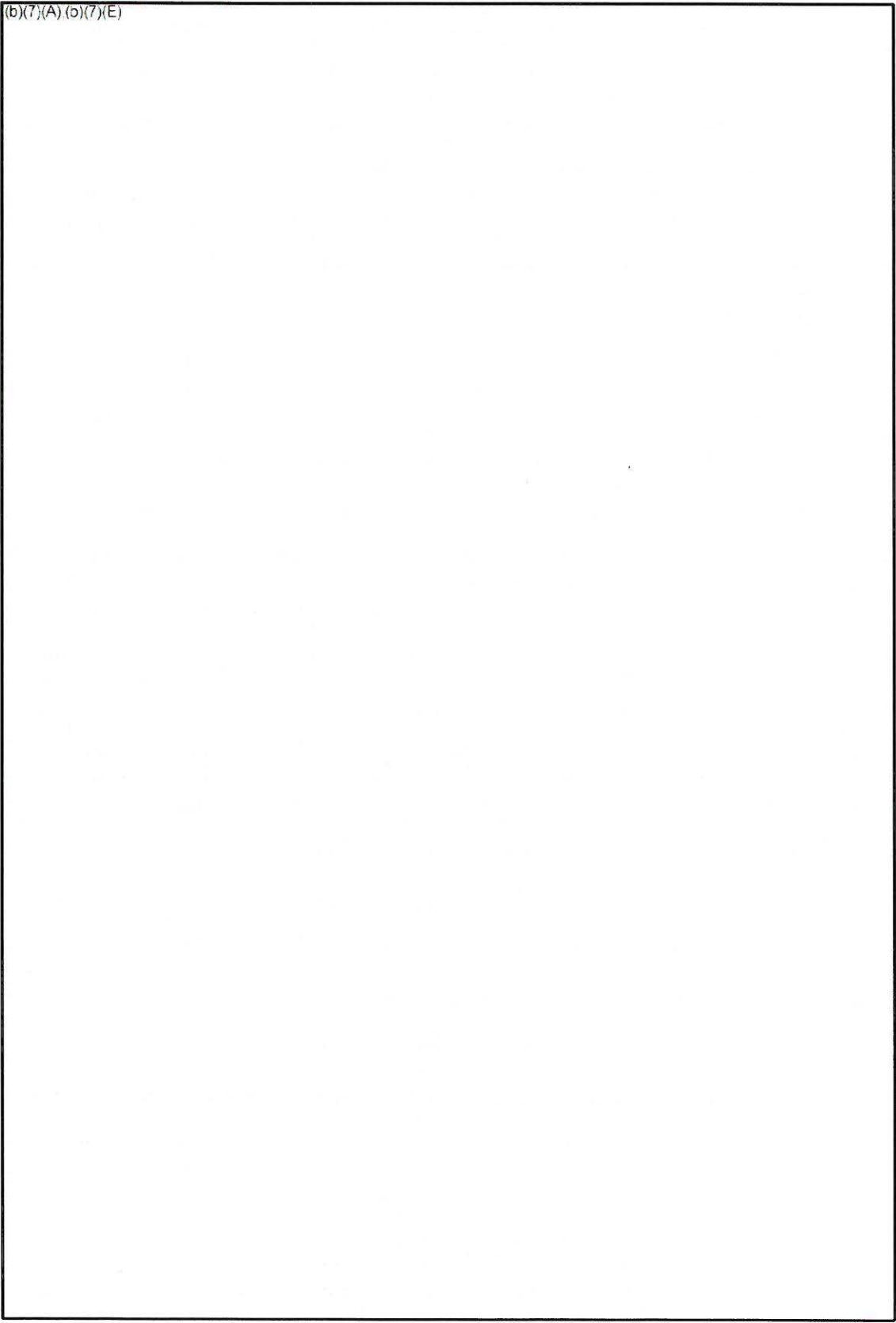
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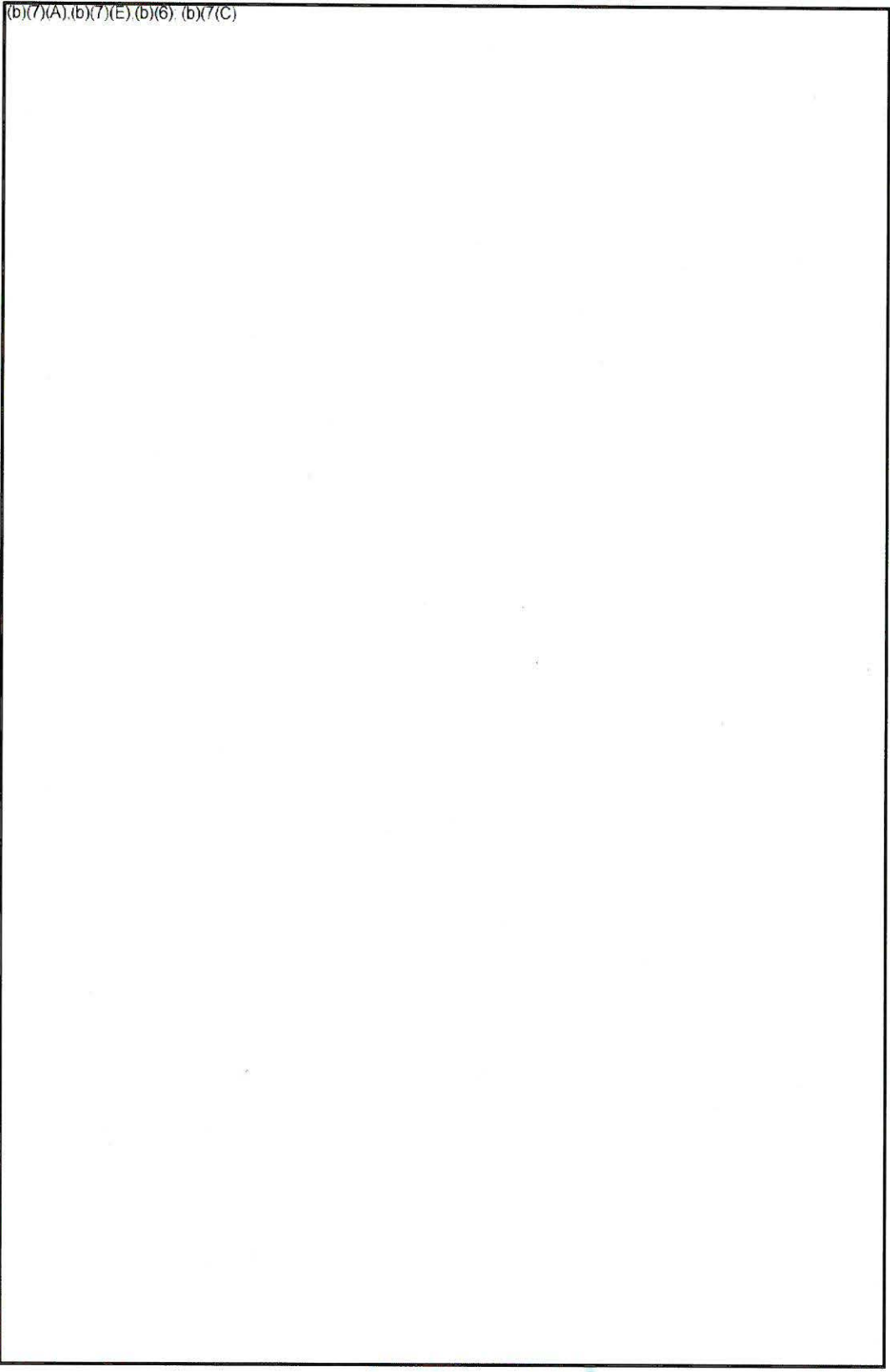
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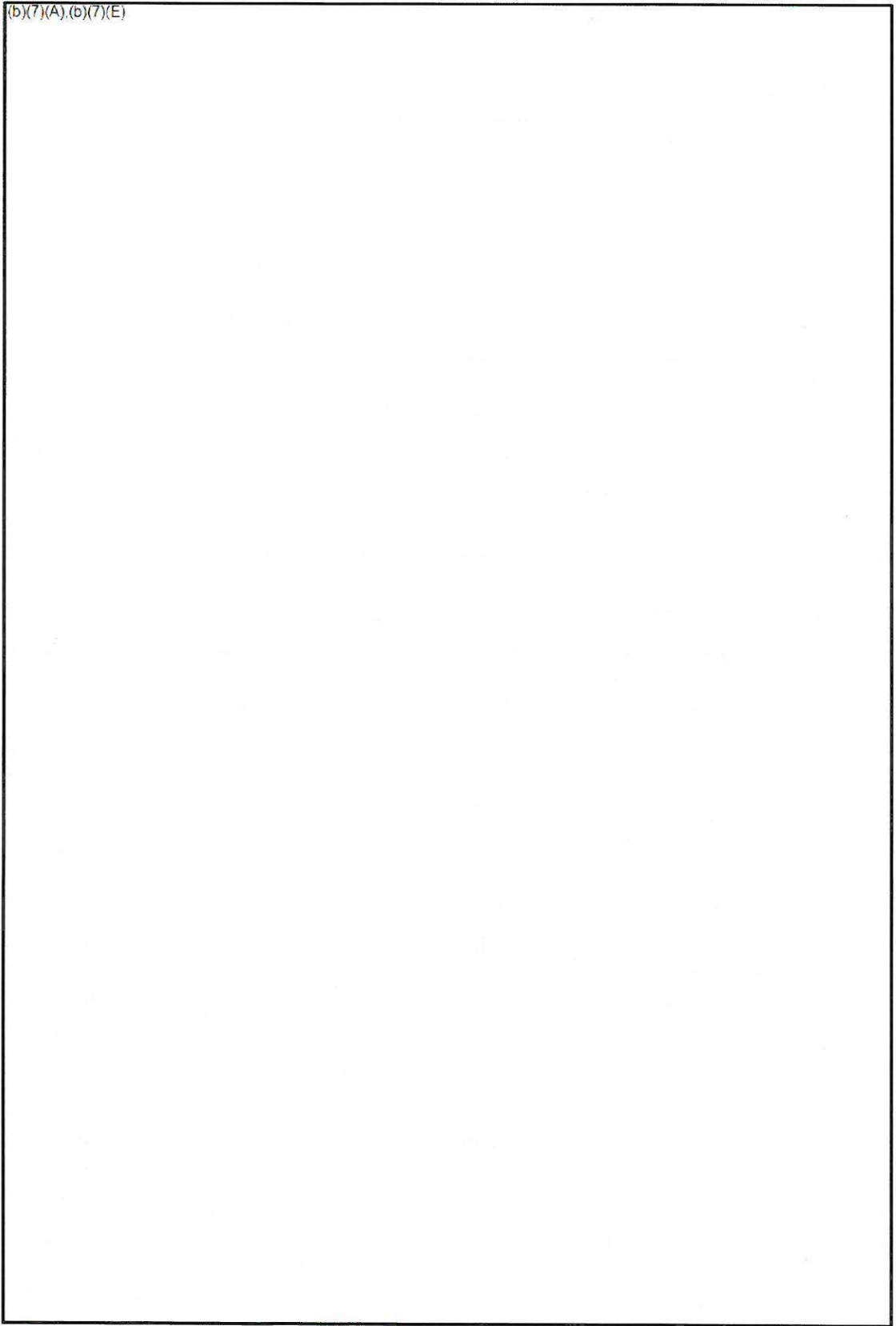
(b)(7)(A) (b)(7)(E)



(b)(7)(A), (b)(7)(E), (b)(6), (b)(7)(C)



(b)(7)(A),(b)(7)(E)



(b)(7)(A) (b)(7)(E)

