



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

50 BEALE ST., SUITE 7200
SAN FRANCISCO, CA 94105

REGION IX
CALIFORNIA

MAY 02 2013

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

(In reply, please refer to case no. 09-13-2264.)

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

On (b)(6),(b)(7)(C) 2013, the U.S. Department of Education, Office for Civil Rights (OCR), received your complaint against Occidental College (College). Your complaint alleges discrimination on the basis of sex. OCR discussed your complaint allegations with you by telephone on (b)(6),(b)(7)(C) and reviewed the extensive supplemental documentation you provided with your complaint. You allege the following:

1. Students at the College have been subjected to sexual harassment and sexual violence by other students and a College staff member, and the College has failed to respond appropriately and effectively to notice of the sexual harassment and sexual violence.
2. The College has failed to respond adequately to internal complaints filed by students alleging that students had been subjected to sexual harassment and sexual violence, dating back to the 2010-11 academic year.
3. Students who have filed complaints with the College regarding sexual harassment and sexual violence have been subjected to intimidation and retaliation by College administrators and by other students, including further sexual harassment by other students, and the College has failed to respond appropriately and effectively to notice of the intimidation and retaliation.
4. Employees and students who have advocated that the College change its policies and procedures with respect to preventing and responding to sexual harassment and sexual violence have been retaliated against by administrators at the College.

5. The College's consistent failure to respond adequately to complaints by students of sexual harassment and sexual violence has created a hostile environment on campus on the basis of sex.
6. The College has not adopted and published grievance procedures providing for the prompt and equitable resolution of complaints of sex discrimination, including sexual assault and sexual violence.

OCR enforces Title IX of the Education Amendments of 1972 and its implementing regulation at 34 C.F.R. Part 106 which prohibit discrimination on the basis of sex in programs and activities operated by recipients of Federal financial assistance. The College receives funds from the Department and is subject to the above laws and their regulations as enforced by OCR.

OCR is now beginning the complaint resolution process.

Because OCR has determined that it has jurisdiction and that the complaint was filed timely or qualified for a waiver of the timeliness requirement, it is opening these allegations for investigation. Please note that opening the allegation(s) for investigation in no way implies that OCR has made a determination with regard to their merits. 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 allegations, in accordance with the provisions of Article III of the *Case Processing Manual*.

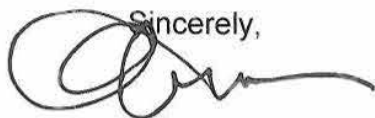
OCR may close this complaint prior to making formal findings of compliance or non-compliance, provided that the circumstances or information gathered establishes an administrative or other basis for resolution in accordance with the *Case Processing Manual*.

Federal regulations prohibit the Recipient from retaliating against you or from intimidating, threatening, coercing, or harassing you or anyone else because you filed a complaint with OCR or because you or anyone else take part in the complaint resolution process. Contact OCR if you believe such actions occur.

Under the Freedom of Information Act, it may be necessary to release this document and related records upon request. In the event that OCR receives such a request, it will seek to protect, to the extent provided by law, personal information that, if released, could reasonably be expected to constitute an unwarranted invasion of privacy.

If you have any questions about this letter, please call Ava De Almeida Law, Investigator, at (415) 486-5513 or Susan Spelletich, Attorney, at (415) 486-5558.

Sincerely,

A handwritten signature in black ink, appearing to be 'Charles R. Love', with a large loop at the beginning and a long horizontal stroke at the end.

Charles R. Love
Program Manager