



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

1999 BRYAN ST., SUITE 1620
DALLAS, TX 75201-6810

REGION VI
ARKANSAS
LOUISIANA
MISSISSIPPI
TEXAS

October 16, 2012

Dr. R. Gerald Turner, President
Southern Methodist University
6425 Boaz Lane
Dallas, TX 75205

Reference: 06-11-2126

Dear Dr. Turner:

The U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office is currently investigating a complaint filed against Southern Methodist University (SMU), Dallas, Texas, which was received in our office on June 2, 2011. The complainant alleged that SMU discriminated against her on the basis of sex/gender, in violation of Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681 *et seq.*, and its implementing regulations at 34 C.F.R. Part 106. On August 17, 2011, OCR Dallas informed SMU that we would investigate the following issue:

Whether, during the (b)(7)(C) (b)(7)(C) semester, SMU discriminated against the complainant on the basis of sex/gender by failing to take prompt and effective action to address the sex/gender based harassment directed toward her (i.e., an SMU (b)(7)(C) professor referred to the complainant as a “doody blonde,” a “beauty queen,” and a “hired bimbo” and stated that she was acting “bitchy” during classroom lecture), which was sufficient to constitute a hostile environment, of which SMU had or should have had notice, in violation of Title IX at 34 C.F.R. § 106.31.

During OCR’s investigation, SMU expressed a desire to voluntarily resolve the complaint. OCR submitted a proposed resolution agreement on April 19, 2012 and received SMU’s counter proposal on May 24, 2012. However, during the course of OCR’s review of SMU’s counter proposal, OCR learned of additional concerns about SMU’s grievance procedures and complaint process for complaints of sexual harassment, sexual assault, and sexual violence. As a result, OCR withdraws the proposed resolution agreement that was sent to your office on April 19, 2012, and requests additional information concerning SMU’s grievance procedures and complaint process pursuant to Title IX.

Section 100.6(c) of Title 34 of the Code of Federal Regulations stipulates that each recipient of Federal financial assistance shall permit access to pertinent sources of information to responsible Department officials or designees. Enclosed is a supplemental data request. Please provide the

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

below requested information to OCR within 15 calendar days of the date of this letter. Please be advised that this does not preclude OCR from requesting additional information during the course of the complaint resolution process.

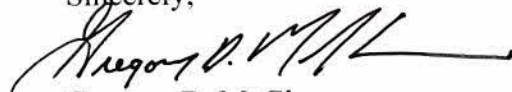
1. A copy of all Title IX policies and procedures, including grievance procedures, complaint processing procedures, and hearing procedures, for the 2009-2010, 2010-2011 and 2011-2012 school years. Please include any and all procedures for investigating or otherwise responding to complaints of sex discrimination, gender discrimination, sexual harassment, gender harassment, sexual assault, and/or sexual violence and indicate how these policies or procedures are/were disseminated to students.
2. A copy of all complaints or grievances filed by current or former SMU students during the 2009-2010, 2010-2011 and 2011-2012 school years alleging sex discrimination, gender discrimination, sexual harassment, gender harassment, sexual assault, and/or sexual violence. Please include any inquiries or investigations conducted by SMU and conclusions or determinations reached, including evidence gathered or relied upon in the determination, appeals and responses, hearing transcripts, and/or sanctions imposed.
3. The name, title, and contact information for any individual responsible for receiving and/or responding to complaints of sex discrimination, gender discrimination, sexual harassment, gender harassment, sexual assault, and/or sexual violence.

Under OCR procedures, OCR is obligated to advise the complainant and the institution against which a complaint is filed that intimidation or retaliation against any individual is prohibited by regulations enforced by this agency. Specifically, the regulations enforced by OCR, directly or by reference, state that no recipient or other person shall intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege secured by regulations enforced by OCR or because one has made a complaint, testified, assisted or participated in any manner in an investigation, proceeding or hearing held in connection with a complaint.

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

If you have any questions regarding this matter, please feel free to contact me at (b)(7)(C) or (b)(7)(C). You may also contact the attorney assigned to this complaint, Lori Howard, at (b)(7)(C) or (b)(7)(C).

Sincerely,



Gregory D. McGhee
Supervisory Attorney/Team Leader

cc:

(b)(7)(C)

Associate Vice President for Access & Equity
Executive Assistant to the President
Southern Methodist University

P.O. Box 750200

Dallas, TX 75275-0200

Via Electronic Mail to: (b)(7)(C)

(b)(7)(C)