



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE FOR CIVIL RIGHTS - REGION IX

DEC 22 2010

Mr. Sam Shirazi, PhD  
President  
BioHealth College  
2665 North First Street, Suite 102  
San Jose, California 95134

(In reply, please refer to case no. 09-11-2027.)

Dear President Shirazi:

In a letter dated November 22, 2010, the U.S. Department of Education, Office for Civil Rights (OCR), notified you of a complaint filed against BioHealth College alleging discrimination based on sex. The letter described the allegation and OCR's jurisdictional authority.

To facilitate resolution of this complaint, please provide the information described in the enclosed Data Request by January 14, 2011. Please also provide the name, address, and telephone number of the person you designate to respond to OCR. Your full and complete response will assist OCR in resolving the complaint. OCR's right to access to this information is found at 34 Code of Federal Regulations, section 100.6(c). Please note that considerations of confidentiality are not a bar to OCR obtaining requested information under section 100.6(c).

Your cooperation is appreciated. If you have any questions, please contact Julie Baenziger, the OCR staff-member assigned to investigate this complaint, at (415) 486-5502.

Sincerely,

Mary Beth McLeod  
Team Leader

50 BEALE ST., SUITE 7200, SAN FRANCISCO, CA 94105  
[www.ed.gov](http://www.ed.gov)

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

U.S. Department of Education  
Office for Civil Rights

Data Request  
BioHealth College  
Docket Number 09-11-2027

Please provide the following information:

1. The name and title of the College employee(s) designated to coordinate compliance with Title IX of the Education Amendments of 1972 and to investigate complaints of discrimination on the basis of sex, including sexual harassment. How are students notified of the name, office location, and telephone number of the designated employee(s)?
2. A copy of any College policy prohibiting sex discrimination, including sexual harassment, of students. How are students, staff, faculty, and administrators notified of this policy(ies)?
3. A copy of the College's grievance procedure for student complaints of sex discrimination, including sexual harassment, against employees of the College. How does the College notify students of this procedure?
4. 

(b)(6),(b)(7)(C)
5. How and when did the College become aware of 

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

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

 (complainant) allegations of sexual harassment by 

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

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

? Please include the date(s), nature of the notice, and the names and titles of personnel informed of the harassment. In addition, provide a copy of any related documentation.
6. A description of the College's response to the complainant's allegations, including what steps were taken, when, and who participated in the process.
7. Did the College conduct an investigation? If so, provide copies of all related documentation, including, but not limited to: interview notes, incident reports, investigative findings, and documentation of resulting disciplinary or corrective action.

8. A description of how the College informed the complainant of the outcome of any investigation or responsive action, and a copy of any related documentation.
9. If no investigation was conducted, why not?
10. Copies of all correspondence between the complainant and the College regarding her allegations of sexual harassment.
11. A description of each telephone call and meeting between the complainant and College representatives regarding her allegations of sexual harassment. Please include the date, names of participants, and a summary of what was discussed for each meeting or call. Provide a copy of any related documentation, such as meeting notes.
12. Has the College ever received notice of allegations that (b)(6),(b)(7)(C) (b)(6),(b)(7)(C) engaged in sexual harassment prior to fall 2010? If so, describe each incident, including the date, who was involved, the nature of the alleged harassment, how the College was notified, and the College's response. Please also provide copies of all related documentation.
13. A description of any training provided to College administrators, faculty, staff and/or students from the beginning of the 2008-2009 academic year, to date, on the issue of sexual harassment. For each training session, provide the date, the presenter/trainer, a description of the content presented, the type of participants, and whether attendance was required.
14. Any additional information that the College believes will facilitate the investigation and resolution of this complaint.