



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS, REGION XV

1350 EUCLID AVENUE, SUITE 325  
CLEVELAND, OH 44115

REGION XV  
MICHIGAN  
OHIO

February 24, 2014

**Via E-mail**

Mr. Douglas Smith  
[REDACTED]

Re: OCR Docket #15-13-2214

Dear Mr. Smith:

On August 16, 2013, the U.S. Department of Education's Office for Civil Rights (OCR) received the complaint you filed against the University of Michigan (the University), alleging discrimination based on sex. Specifically, you alleged that the University failed to promptly and equitably respond to an alleged 2009 rape of a female student involving two football players at the Ann Arbor campus. You stated that the University has refused to investigate the case. Recent media reports indicate that one of the students was expelled from the University in December 2013. You also raised concerns that the University's Title IX grievance procedure does not fully comply with Title IX.

OCR is responsible for enforcing Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*, and its implementing regulation, 34 C.F.R. Part 106. Title IX prohibits discrimination on the basis of sex in education programs and activities operated by recipients of Federal financial assistance. As a recipient of Federal financial assistance from the U.S. Department of Education, the University is subject to Title IX.

OCR has determined it is appropriate to proceed to investigation on the following issue: that the University failed to promptly and equitably respond to complaints, reports, and/or incidents of sexual violence of which it had notice, and, as a result, students were subjected to a sexually hostile environment. Please note, however, that OCR is investigating the same issue in a separate complaint filed against the University (OCR Docket No. 15-14-2111) and your complaint will be consolidated with that complaint under that docket number. As part of that investigation, OCR will review the University's Title IX grievance procedure, including how it is being implemented in sexual harassment, including sexual violence, cases.

Page 2 – Mr. Douglas Smith

Should you have any questions, please contact Gayle Horwitz, OCR attorney, at [REDACTED]  
[REDACTED] Please refer to OCR Docket No. 15-14-2111 when contacting OCR.

Sincerely,

A handwritten signature in blue ink, appearing to be 'D Yarab', with a horizontal line extending to the right.

Donald S. Yarab  
Team Leader