



UNITED STATES DEPARTMENT OF EDUCATION
 OFFICE FOR CIVIL RIGHTS
 MIDWESTERN DIVISION, CHICAGO OFFICE
 CITIGROUP CENTER
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April 6, 2016

Dr. Teresa L. Amott
 President
 Knox College
 Office of the President
 2 East South Street
 Galesburg, Illinois 61401-4999

Re: 05-16-2134 (new) and #05-14-2047

Dear Dr. Amott:

This letter is to notify you that the U.S. Department of Education (Department), Office for Civil Rights (OCR) has evaluated a complaint (#05-16-2134), filed with OCR on February 3, 2016, against Knox College (College), alleging discrimination on the basis of sex and retaliation. We conducted the evaluation in accordance with OCR's *Case Processing Manual* (CPM) to determine whether to open the complaint for investigation. We have determined that we have the authority to investigate the complaint. Hereinafter, the Complainant will be referred to as Student Q.

Specifically, the Complaint alleges that the College during the Non Responsive school year:

1. Discriminated against Student Q based on sex when it failed to afford her a prompt and equitable grievance procedure to address her allegation of sexual assault.
2. Subjected Student Q to retaliation Non Responsive

Non Responsiv Specifically, the complaint alleges that the College retaliated against her when:

- a. The College's Title IX Coordinator (Coordinator) treated Student Q with hostility during Student Q's Title IX grievance process. Specifically, the complaint alleges the Coordinator engaged in the following actions:

- i. Non Responsive
- ii. [Redacted]

b.



OCR is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681-1688, and its implementing regulation, 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any education program or activity operated by a recipient of Federal financial assistance. Title IX also prohibits retaliation for certain activities protected by Title IX. As a recipient of Federal financial assistance from the Department, the College is subject to Title IX. Therefore, OCR has jurisdiction over this complaint. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

Allegation #1 (Grievance Procedure)

With respect to Allegation #1, on December 3, 2013, OCR received a complaint against the College (OCR docket #05-14-2047), that raised a substantially identical allegation as contained in the instant complaint. Under the CPM, complaints filed by more than one person that raise substantially identical allegations against the same recipient may be treated as one complaint and assigned one case number or, if received later, incorporated into an existing complaint. OCR has determined that it will incorporate Allegation #1 into the existing investigation of OCR docket #05-14-2047.

Allegation #2 (Retaliation)

With respect to Allegation 2, OCR has determined that it has jurisdiction and that the complaint was filed timely for investigation. Please note that opening the allegations 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 CPM.

In addition, when appropriate, a complaint may be resolved before the conclusion of an investigation after the recipient asks OCR to resolve the complaint. In such cases, a resolution agreement signed by the recipient and submitted to OCR must be aligned with the complaint allegations or the information obtained during the investigation and it must be consistent with applicable regulations. Information about this is in the enclosure to this letter.

Please read the enclosed document entitled “OCR Complaint Processing Procedures,” which includes information about:

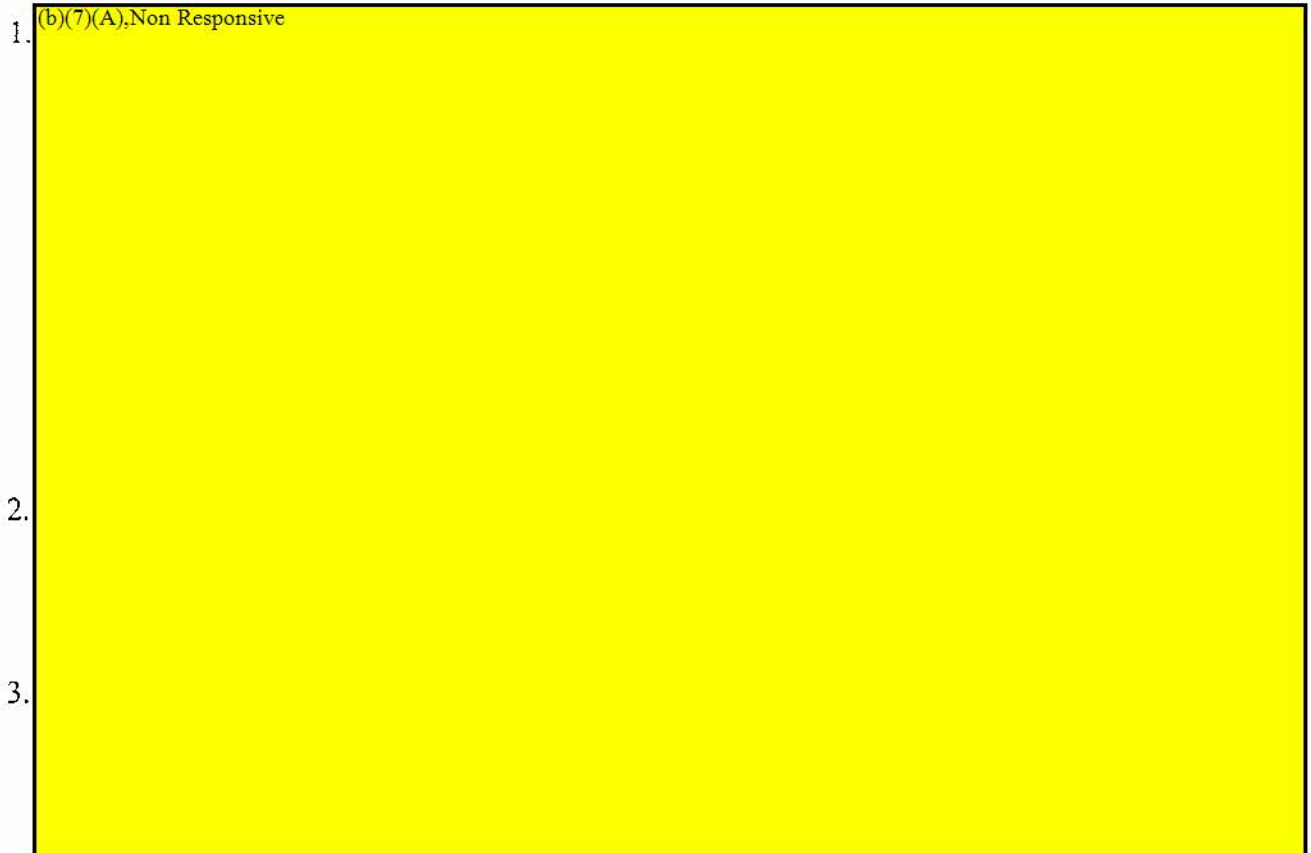
- OCR’s complaint processing procedures;

- Regulatory prohibitions against retaliation and intimidation of persons who file complaints with OCR or participate in an OCR investigation; and
- Application of the Freedom of Information Act and the Privacy Act to OCR investigations.

OCR intends to conduct a prompt investigation of this complaint. The regulation implementing Title VI of the Civil Rights Act of 1964 (Title VI) at 34 C.F.R. §100.6(b) and (c) requires that a recipient of Federal financial assistance make information that may be pertinent to reach a compliance determination available to OCR. This requirement is incorporated by reference by the regulation implementing Title IX at 34 C.F.R. § 106.71. Pursuant to 34 C.F.R. § 100.6(c) and 34 C.F.R. § 99.31(a)(3)(iii), of the regulation implementing the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. § 1232g, OCR may review personally identifiable records without regard to considerations of privacy or confidentiality.

Accordingly, OCR is requesting that you forward the following information to us within fifteen (15) calendar days from the date of this letter. Wherever possible, please provide the requested information in electronic format. If responsive data are available through the internet, please provide the link. **Finally, please provide an index of documents provided in response to these requests, indicating where appropriate to which request(s) the documents are responsive.**

1. (b)(7)(A), Non Responsive



(b)(7)(A), Non Responsive

4.

5.

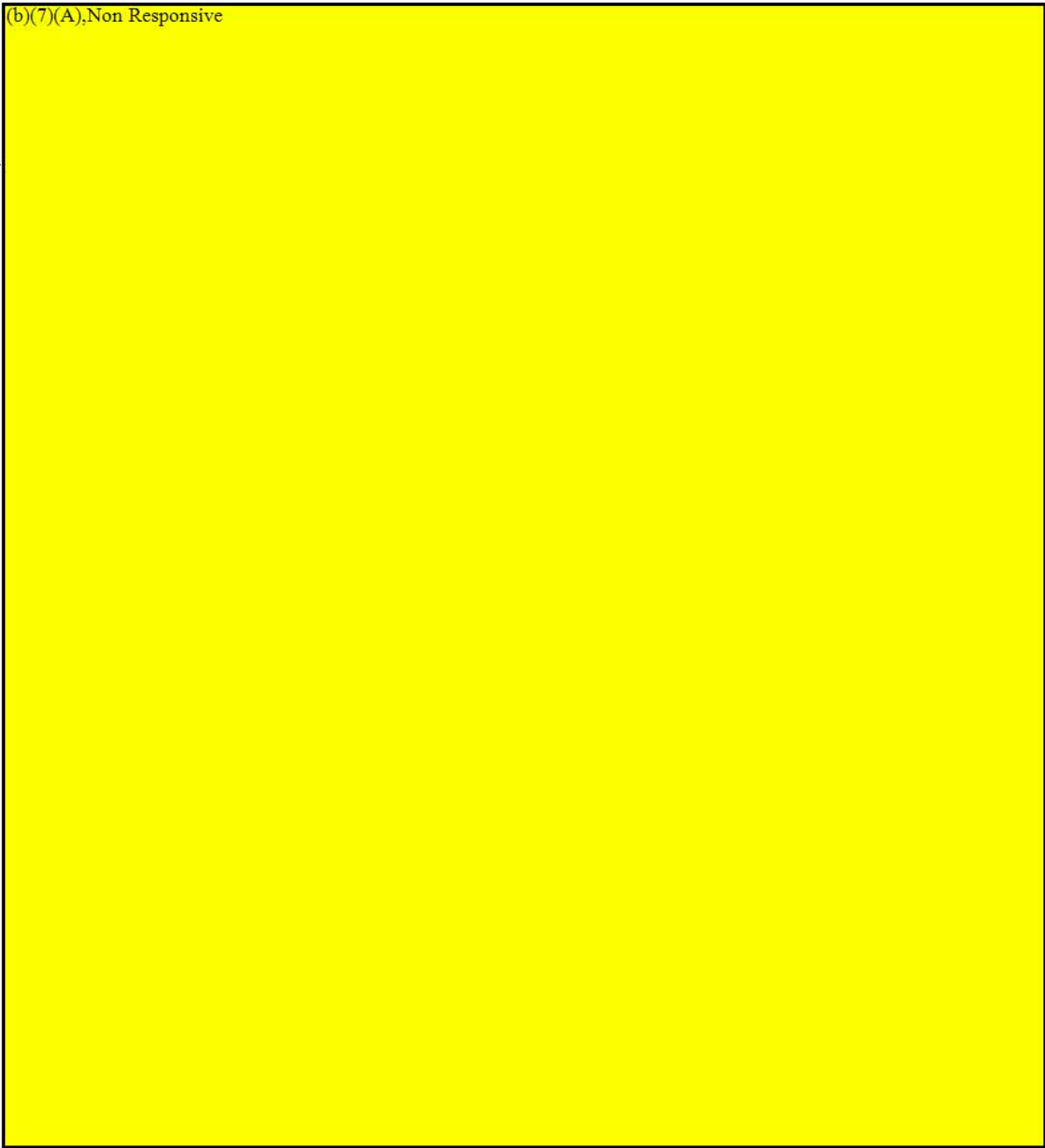
6.

7.

8.

9. (b)(7)(A), Non Responsive

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Thank you for your cooperation in this matter. In addition to the information requested above, OCR may need to request additional information. We will contact you to identify Student Q and to arrange interviews with College personnel as appropriate (to take place subsequent to OCR's receipt and review of the above-requested data), and to ascertain who will represent the College during OCR's processing of this complaint.

We will communicate with you periodically regarding the status of your complaint. OCR is committed to a high-quality resolution of every case. If you have any questions, please contact Ms. Sandra L. Garcia, Senior, Equal Opportunity Specialist, at 312-730-1580 or by

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email at Sandra.L.Garcia@ed.gov or Brian Bigelow, OCR Senior Regional Attorney, at 312-730-1565 or Brian.Bigelow@ed.gov.

Sincerely,

(b)(6)

Marcela Sanchez-Aguilar
Supervisory Attorney

Enclosure

(b)(6)