



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

61 FORSYTH ST., SOUTHWEST, SUITE 19T10
ATLANTA, GA 30303-8927

REGION IV
ALABAMA
FLORIDA
GEORGIA
TENNESSEE

June 1, 2016

Nonresponsive

Re: OCR Reference No. 04-16-2182

Dear Nonresponsive

On April 19, 2016, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint against Rhodes College (College), which alleged the College engaged in discrimination on the basis of sex. Specifically, you (Complainant) alleged that the College engaged in discrimination on the basis of sex against Nonresponsive (Student) when it failed to take interim measures to protect the Student after an Nonresponsive alleged sexual assault, failed to promptly and equitably investigate the Nonresponsive alleged assault, and when, on Nonresponsive, it failed provide a prompt, fair and equitable hearing regarding the alleged sexual assault. OCR determined that it has the authority to investigate this complaint consistent with OCR's complaint procedures and applicable law.

OCR is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 *et seq.*, 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 (FFA) from the Department. The College receives FFA from the Department and is therefore subject to Title IX and the regulation. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

Because OCR has determined that it has jurisdiction and that the complaint was filed timely, it is opening this complaint for investigation. Please note that opening the complaint for investigation in no way implies that OCR has made a determination with regard to its merit. 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 allegation, in accordance with the provisions of Article III of the *Case Processing Manual*.

Accordingly, OCR will investigate the following legal issues:

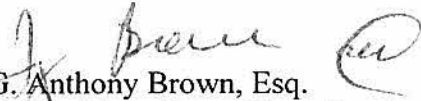
1. Whether the College promptly and equitably responded to sexual violence complaints, reports, and/or other incidents of which the College had notice by the Student and other

similarly situated students at the College, in noncompliance with the Title IX implementing regulation at 34 C.F.R. §§ 106.8 and 106.31.

2. Whether the College's alleged failure to provide prompt and equitable responses allowed the Student and other similarly situated students to be subjected to a sexually hostile environment that denies or limits the ability of the Student or other similarly situated students to participate in or benefit from the College's programs, in noncompliance with the Title IX implementing regulation at 34 C.F.R. §§ 106.8 and 106.31.
3. Whether the College failed to provide the Student with a prompt, fair and equitable hearing on January 19, 2016, in noncompliance with the Title IX implementing regulation at 34 C.F.R. §§ 106.8 and 106.31.

OCR is committed to prompt and effective service. If you have any questions about this letter, please contact Pamela Simmons, Senior Attorney, at (404) 974-9364, or by email at pamela.simmons@ed.gov, or me at (404) 974-9374.

Sincerely,


G. Anthony Brown, Esq.
Acting Compliance Team Leader

Enclosure