

CONSENT FORM - FOR REVEALING NAME AND PERSONAL INFORMATION TO OTHERS

(Please print or type except for signature line)

(b)(6); (b)(7)(C)

Your Name:

Name of School or Other Institution That You Have Filed This Complaint Against: _____

Drake University

- This form asks whether the Office for Civil Rights (OCR) may share your name and other personal information when OCR decides that doing so will assist in investigating and resolving your complaint.
- For example, to decide whether a school discriminated against a person, OCR often needs to reveal that person's name and other personal information to employees at that school to verify facts or get additional information. When OCR does that, OCR informs the employees that all forms of retaliation against that person and other individuals associated with the person are prohibited. OCR may also reveal the person's name and personal information during interviews with witnesses and consultations with experts.
- If OCR is not allowed to reveal your name or personal information as described above, OCR may decide to close your complaint if OCR determines it is necessary to disclose your name or personal information in order to resolve whether the school discriminated against you.

NOTE: If you file a complaint with OCR, OCR can release certain information about your complaint to the press or general public, including the name of the school or institution; the date your complaint was filed; the type of discrimination included in your complaint; the date your complaint was resolved, dismissed or closed; the basic reasons for OCR's decision; or other related information. Any information OCR releases to the press or general public will not include your name or the name of the person on whose behalf you filed the complaint.

NOTE: OCR requires you to respond to its requests for information. Failure to cooperate with OCR's investigation and resolution activities could result in the closure of your complaint.

Please sign section A or section B (but not both) and return to OCR:

- If you filed the complaint on behalf of yourself, you should sign this form.
- If you filed the complaint on behalf of another specific person, that other person should sign this form.

EXCEPTION: If the complaint was filed on behalf of a specific person who is younger than 18 years old or a legally incompetent adult, this form must be signed by the parent or legal guardian of that person.

- If you filed the complaint on behalf of a class of people, rather than any specific person, you should sign the form.

A. I give OCR my consent to reveal my identity (and that of my minor child/ward on whose behalf the complaint is filed) to others to further OCR's investigation and enforcement activities.

(b)(6); (b)(7)(C)

OR

B. I do not give OCR my consent to reveal my identity (and that of my minor child/ward on whose behalf the complaint is filed) to others. I understand that OCR may have to close my complaint.

Signature

Date

I declare under penalty of perjury that it is true and correct that I am the person named above; and, if the complaint is filed on behalf of a minor child/ward, that I am that person's parent or legal guardian. This declaration only applies to the identity of the persons and does not extend to any of the claims filed in the complaint.

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Withheld pursuant to exemption

(b)(7)(A)

of the Freedom of Information and Privacy Act

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UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

500 WEST MADISON ST., SUITE 1475
CHICAGO, IL 60661-4544

REGION V
ILLINOIS
INDIANA
IOWA
MINNESOTA
NORTH DAKOTA
WISCONSIN

October 3, 2014

Dr. David Maxwell, President
Drake University
Office of the President
2507 University Drive
Des Moines, IA 50311

Re: 05-14-2506

Dear Dr. Maxwell:

This letter is to notify you that the U.S. Department of Education (Department), Office for Civil Rights (OCR) has evaluated the above-referenced complaint, filed with OCR on August 28, 2014 against Drake University (University), alleging discrimination on the basis of sex. We conducted the evaluation in accordance with OCR's *Case Processing Manual* to determine whether to open the complaint for investigation. We have determined that we have the authority to investigate the complaint.

The complaint alleges that the University subjected a female student (Student A) to discrimination based on sex in the (b)(6), (b)(7)(C) academic year. The complaint raises whether the University fails to promptly and equitably respond to complaints, reports and/or incidents of sexual violence of which it had notice, including Student A's report of sexual assault committed against her by a male student (Student B), thereby creating for students a sexually hostile environment.

OCR is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681, 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. As a recipient of Federal financial assistance from the Department, the College is subject to these laws. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

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

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

OCR offers, when appropriate, an Early Complaint Resolution (ECR) process to facilitate the voluntary resolution of complaints by providing an early opportunity for the parties involved to resolve the allegation(s). Some information about the ECR process is in the enclosure to this letter entitled "OCR Complaint Processing Procedures."

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, including the availability of ECR;
- 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.

(b)(7)(A)



(b)(7)(A)



(b)(7)(A)



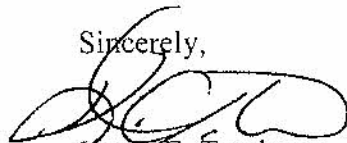
(b)(7)(A)



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 Students A and B, to arrange an onsite visit as appropriate to interview University personnel subsequent to OCR's receipt and review of the above-stated data, and to ascertain who will represent the University during OCR's processing of this complaint.

OCR is committed to prompt and effective service. If you have any questions, please contact Mr. Roberto Flores, Equal Opportunity Specialist, at 312-730-1688 or by email at roberto.flores@ed.gov.

Sincerely,



Karen E. Tamburro
Supervisory Attorney



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS
MIDWESTERN DIVISION, CHICAGO OFFICE
CITIGROUP CENTER
500 WEST MADISON STREET, SUITE 1475
CHICAGO, ILLINOIS 60661

TEL: 312-730-1560
TDD: 877-521-2172
FAX: 312-730-1576

October 3, 2014

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

Re: 05-14-2506

Dear [REDACTED]

This letter is to notify you, the U.S. Department of Education (Department), Office for Civil Rights (OCR), has evaluated the complaint you filed with OCR on August 28, 2014, against Drake University (University) alleging discrimination on the basis of sex. We conducted the evaluation in accordance with OCR's *Case Processing Manual* to determine whether to open your complaint for investigation. We have determined that we have the authority to investigate your complaint.

You allege that the University subjected you, a female student (hereinafter Student A) to discrimination based on sex in the (b)(6), (b)(7)(C) academic year. The complaint raises whether the University fails to promptly and equitably respond to complaints, reports and/or incidents of sexual violence of which it had notice, including Student A's report of sexual assault committed against her by a male student (Student B), thereby creating for students a sexually hostile environment.

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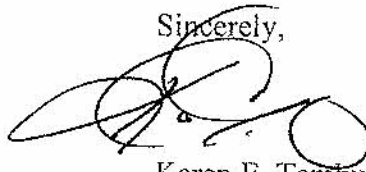
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OCR is committed to a high-quality resolution of every case. If you have any questions, please contact Mr. Roberto Flores, Equal Opportunity Specialist, at 312-730-1688 or by email at roberto.flores@ed.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Karen E. Tamburro', with a large, stylized flourish at the end.

Karen E. Tamburro
Supervisory Attorney

Enclosure