



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

915 2ND AVE., SUITE 3310  
SEATTLE, WA 98174-1099

June 5, 2015

REGION X  
ALASKA  
AMERICAN SAMOA  
GUAM  
HAWAII  
IDAHO  
MONTANA  
NEVADA  
NORTHERN MARIANA  
ISLANDS  
OREGON  
WASHINGTON

Dr. Arthur C. Vailas  
President  
Idaho State University  
921 South 8<sup>th</sup> Avenue  
Pocatello, Idaho 83209

Re: Idaho State University  
OCR Reference No. 10152161

Dear Dr. Vailas:

This letter is to notify you that the U.S. Department of Education, Office for Civil Rights (OCR) has received a complaint against Idaho State University (university). The complaint alleges that the university discriminated against Nonresponsive (the student), on the basis of sex, when it: (1) failed to provide the student with a prompt and equitable grievance process after the student reported an incident of sexual violence; (2) subjected the student to a hostile environment because of its failure to provide a prompt and effective grievance procedure; and (3) retaliated against the student for reporting an incident of sexual violence, including suspending him from Nonresponsive.

OCR enforces title IX of the Education Amendments of 1972 and its implementing regulations. Title IX prohibits sex discrimination in programs and activities receiving federal financial assistance from the U.S. Department of Education. The university is a recipient of federal financial assistance from this Department and is, therefore, required to comply with Title IX.

OCR has accepted this complaint because the allegations raise a possible violation of Title IX. OCR's acceptance of the allegations does not reflect an opinion by OCR regarding the merits of the allegations or the university's compliance status with respect to federal civil rights laws.

Complaint allegations may be resolved in a variety of ways, including:

- an OCR-facilitated resolution between the university and the complainant ("Early Complaint Resolution");
- a voluntary written agreement in which the university agrees to take remedial actions that OCR determines fully resolve the allegation consistent with applicable legal standards; or
- an investigation by OCR, resulting in findings and a determination as to whether the university is in compliance with the applicable legal standards and, in the event non-compliance is found, a written agreement between OCR and the university in which the university commits to take specific steps to comply with applicable laws and regulations.

It is OCR's responsibility to address the allegations in a fair and impartial manner consistent with the regulatory requirements and OCR's *Case Processing Manual*. Enclosed with this letter is additional information about OCR's case processing procedures.

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

As part of its investigation, OCR is requesting information from the university. OCR is authorized to obtain information pursuant to 34 CFR 100.6(c). OCR is entitled to access information that may otherwise be protected as private or confidential as provided by 34 CFR 99.31(a)(3)(iii) and 99.35(a)(1). Please submit the following information by June 26, 2015:

**General Data**

(b)(7)(A)



(b)(7)(A)



(b)(7)(A)



(b)(7)(A)



(b)(7)(A)



**Specific to This Complaint**

(b)(7)(A)



38. Any other information the university believes would be helpful in resolving the allegations in this complaint.

To the extent that any responsive documents or information are published on the university's publicly-accessible web site, the response may consist of the exact web address where the relevant information is located. To the extent that other documents or information are available in electronic format, please provide them electronically. In addition, to the extent possible, please refrain from using staples when submitting paper copies or documents to OCR.

Thank you for your cooperation in this matter. In addition to the information requested above, OCR may need to request additional information and interview pertinent personnel. During the course of this investigation, we will conduct one or more mutually convenient on-site visits.

OCR is committed to resolving complaints as promptly as possible. I will contact you or your designated representative soon to discuss the allegations and the complaint resolution process. If you have any questions, please contact me at (206) 607-1620, or by e-mail at [caitlin.burks@ed.gov](mailto:caitlin.burks@ed.gov); or you may contact Cathy Fawley, Attorney, at (206) 607-1609, or by e-mail at [catherine.fawley@ed.gov](mailto:catherine.fawley@ed.gov).

Sincerely,

Nonresponsive

Caitlin Burks  
Attorney

Enclosure





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WASHINGTON

Nonresponsive

Re: Idaho State University  
OCR Reference No. 10152161

Dear

This is to notify you that the U.S. Department of Education, Office for Civil Rights (OCR) has completed its evaluation of the complaint you filed against Idaho State University (university). In the complaint, you allege that the university discriminated against  on the basis of sex, when: (1) it failed to provide  with a prompt and equitable grievance process after he reported an incident of sexual violence; (2)  was subjected to a hostile environment because the university failed to provide a prompt and effective grievance procedure; and (3) the university retaliated against him for reporting an incident of sexual violence, including suspending him from

OCR is responsible for enforcing title IX of the Education Amendments of 1972 and its implementing regulations. Title IX prohibits sex discrimination in programs and activities receiving federal financial assistance from the U.S. Department of Education. The university receives federal financial assistance from this Department and is, therefore, required to comply with Title IX.

OCR has accepted this complaint because the allegations raise a possible violation of Title IX. OCR's acceptance of the allegations does not reflect an opinion by OCR regarding the merits of the allegations or the university's compliance status with respect to federal civil rights laws.

Complaint allegations may be resolved in a variety of ways, including:

- an OCR-facilitated resolution between you and the university ("Early Complaint Resolution");
- a voluntary written agreement in which the university agrees to take remedial actions that OCR determines fully resolve the allegation consistent with applicable legal standards; or
- an investigation by OCR, resulting in findings and a determination as to whether the university is in compliance with the applicable legal standards and, in the event

non-compliance is found, a written agreement between OCR and the university in which the university commits to take specific steps to comply with applicable laws and regulations.

It is OCR's responsibility to address the allegations in a fair and impartial manner consistent with the regulatory requirements and OCR's *Case Processing Manual*.

OCR is committed to resolving complaints as promptly as possible. OCR will be contacting the university to discuss the allegations. If you have any questions, please contact me at (206) 607-1620, or by e-mail at [caitlin.burks@ed.gov](mailto:caitlin.burks@ed.gov); or you may contact Cathy Fawley, Attorney, at (206) 607-1609, or by e-mail at [catherine.fawley@ed.gov](mailto:catherine.fawley@ed.gov).

Sincerely,

Nonresponsive

Caitlin Burks  
Attorney