



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

50 BEALE ST., SUITE 7200  
SAN FRANCISCO, CA 94105

REGION IX  
CALIFORNIA

NOV 24 2015

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

(In reply, please refer to case no.09-16-2034.)

Dear

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

On (b)(6),(b)(7)(C) 2015, the U.S. Department of Education, Office for Civil Rights (OCR), received your complaint against Santa Clara University (University). Your complaint alleges discrimination on the basis of sex.

OCR enforces Title IX of the Education Amendments of 1972 and its implementing regulation at 34 C.F.R. Part 106 which prohibit discrimination on the basis of sex in programs and activities operated by recipients of Federal financial assistance. The University receives funds from the Department and is subject to the above laws and their regulations as enforced by OCR.

We have determined that the following allegations are appropriate for investigation under the laws enforced by OCR:

1. The University failed to provide (b)(6),(b)(7)(C) with a prompt and equitable resolution of her complaint of sexual assault;
2. The University fails to promptly and equitably respond to sexual violence complaints, reports and/or other incidents of which it has notice; and
3. The University's failure to provide a prompt and equitable response to notice of sexual violence allows students to be subjected to a hostile environment on the basis of sex.

OCR is now beginning the complaint resolution process.

Because OCR has determined that it has jurisdiction and that the complaint was filed timely or qualified for a waiver of the timeliness requirement, it is opening these allegations for investigation. Please note that opening the allegation(s) 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 *Case Processing Manual*.

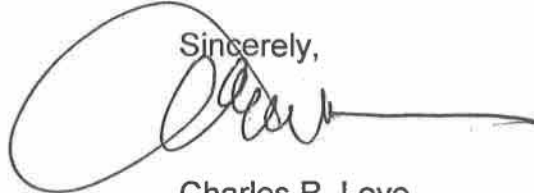
We will contact you or your designated representative soon to discuss the allegations and complaint resolution process. OCR may close this complaint prior to making formal findings of compliance or non-compliance, provided that the circumstances or information gathered establishes an administrative or other basis for resolution in accordance with the *Case Processing Manual*.

Federal regulations prohibit the Recipient from retaliating against you or from intimidating, threatening, coercing, or harassing you or anyone else because you filed a complaint with OCR or because you or anyone else take part in the complaint resolution process. Contact OCR if you believe such actions occur.

Under the Freedom of Information Act, it may be necessary to release this document and related records upon request. In the event that OCR receives such a request, it will seek to protect, to the extent provided by law, personal information that, if released, could reasonably be expected to constitute an unwarranted invasion of privacy.

If you have any questions about this letter, please call our office at 415-486-5555.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charles R. Love', with a long horizontal line extending to the right.

Charles R. Love  
Program Manager



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Michael E. Engh  
President  
Santa Clara University  
Office of the President  
500 El Camino Real  
Santa Clara, CA 95053

(In reply, please refer to case no. 09-16-2034.)

**Response required by: December 18, 2015**

Dear President Engh:

On (b)(6),(b)(7)(C) 2015, the U.S. Department of Education, Office for Civil Rights (OCR), received a complaint against Santa Clara University (University). The complaint alleges discrimination on the basis of sex. The complaint alleges the following:

1. The University failed to provide (b)(6),(b)(7)(C) (the Student) with a prompt and equitable resolution of her complaint of sexual assault;
2. The University fails to promptly and equitably respond to sexual violence complaints, reports and/or other incidents of which it has notice; and
3. The University's failure to provide a prompt and equitable response to notice of sexual violence allows students to be subjected to a hostile environment on the basis of sex.

OCR enforces Title IX of the Education Amendments of 1972 and its implementing regulation at 34 C.F.R. Part 106 which prohibit discrimination on the basis of sex in programs and activities operated by recipients of Federal financial assistance. The University receives funds from the Department and is subject to the above laws and their regulations as enforced by OCR.

Because OCR has determined that it has jurisdiction and that the complaint was filed timely or qualified for a waiver of the timeliness requirement, it is opening these allegations 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

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



will ensure that its investigation is legally sufficient and is dispositive of the allegations, in accordance with the provisions of Article III of the *Case Processing Manual*.

Enclosed is a copy of the OCR Case Processing Procedures and an initial data request. Please contact OCR Team Leader Sara Berman at (415) 486-5504 to advise us as to who will be assembling the University's data response. At that time we can also discuss a reasonable deadline for the data response and address any questions that you may have. OCR's right of access to this information is found at 34 Code of Federal Regulations, section 100.6(c). Considerations of confidentiality are not a bar to OCR obtaining requested information under section 100.6(c). Please be aware that it might be necessary for us to make additional requests for information in the future.


We will contact you or your designated representative soon to discuss the allegations, the requested data and the complaint resolution process. OCR may close this complaint prior to making formal findings of compliance or non-compliance, provided that the circumstances or information gathered establishes an administrative or other basis for resolution in accordance with the *Case Processing Manual*.

OCR routinely advises recipients of Federal funds and public education entities that Federal regulations prohibit intimidation, harassment or retaliation against those filing complaints with OCR and those participating in the complaint resolution process. Complainants and participants who feel that such actions have occurred may file a separate complaint with OCR.

Under the Freedom of Information Act, it may be necessary to release this document and related records upon request. In the event that OCR receives such a request, it will seek to protect, to the extent provided by law, personal information that, if released, could reasonably be expected to constitute an unwarranted invasion of privacy.

Your cooperation is appreciated. If you have any questions, please contact our office at 415-486-5555.

Sincerely,

A handwritten signature in black ink, appearing to read 'CLove', with a long horizontal flourish extending to the right.

Charles R. Love  
Program Manager

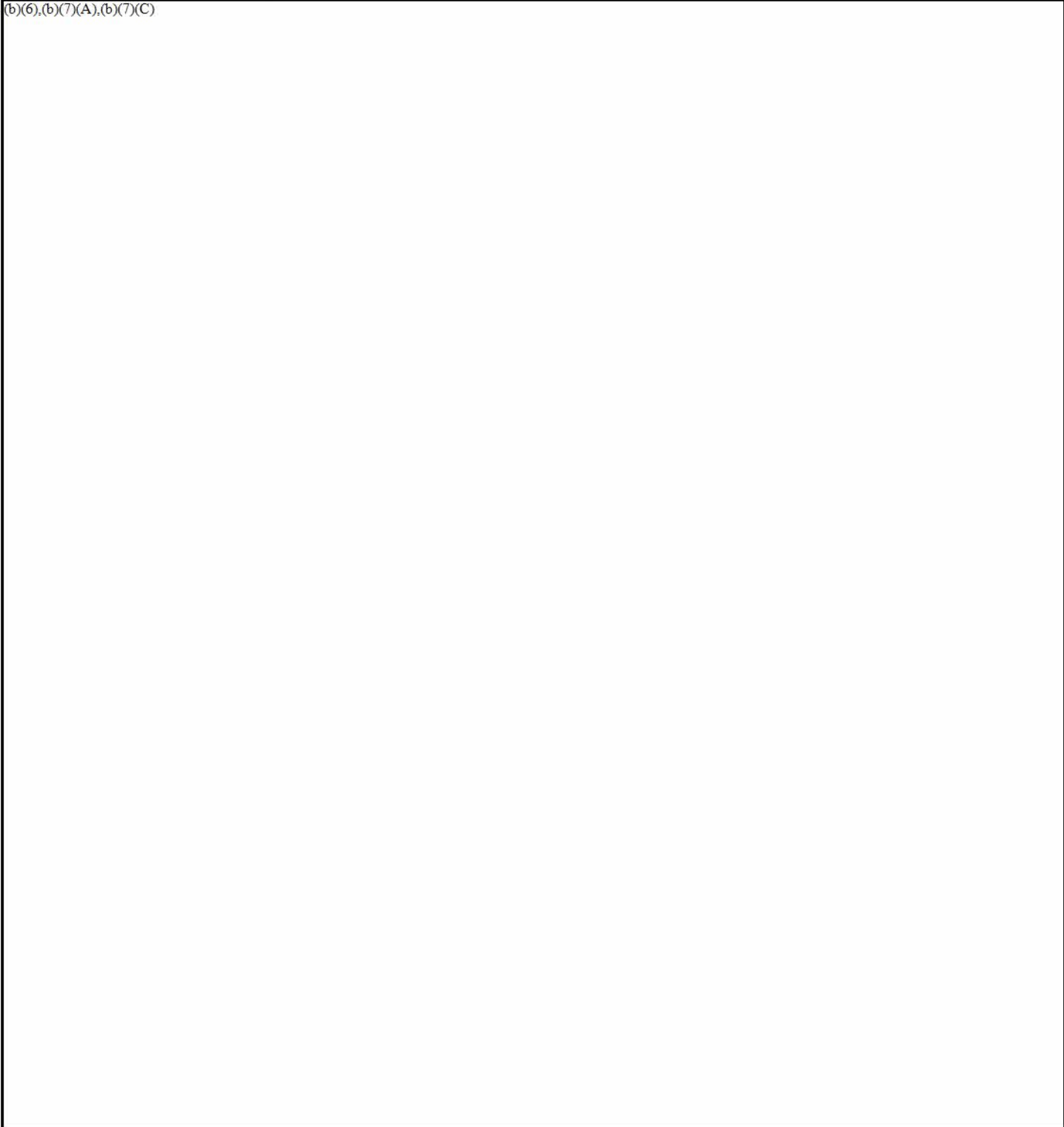
Enclosures

U.S. Department of Education  
Office for Civil Rights, San Francisco

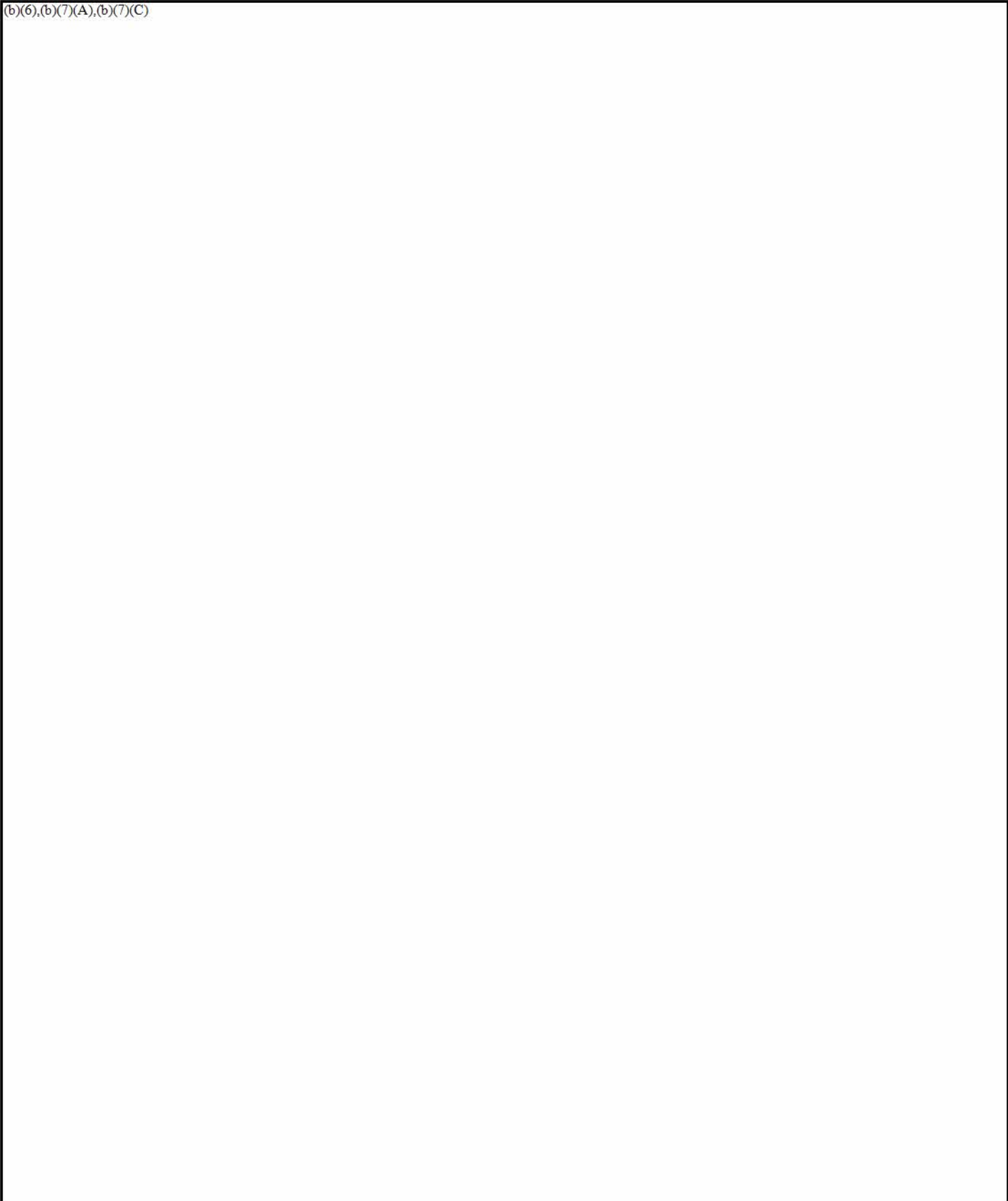
**Initial Data Request**

*Santa Clara University*  
09-16-2034

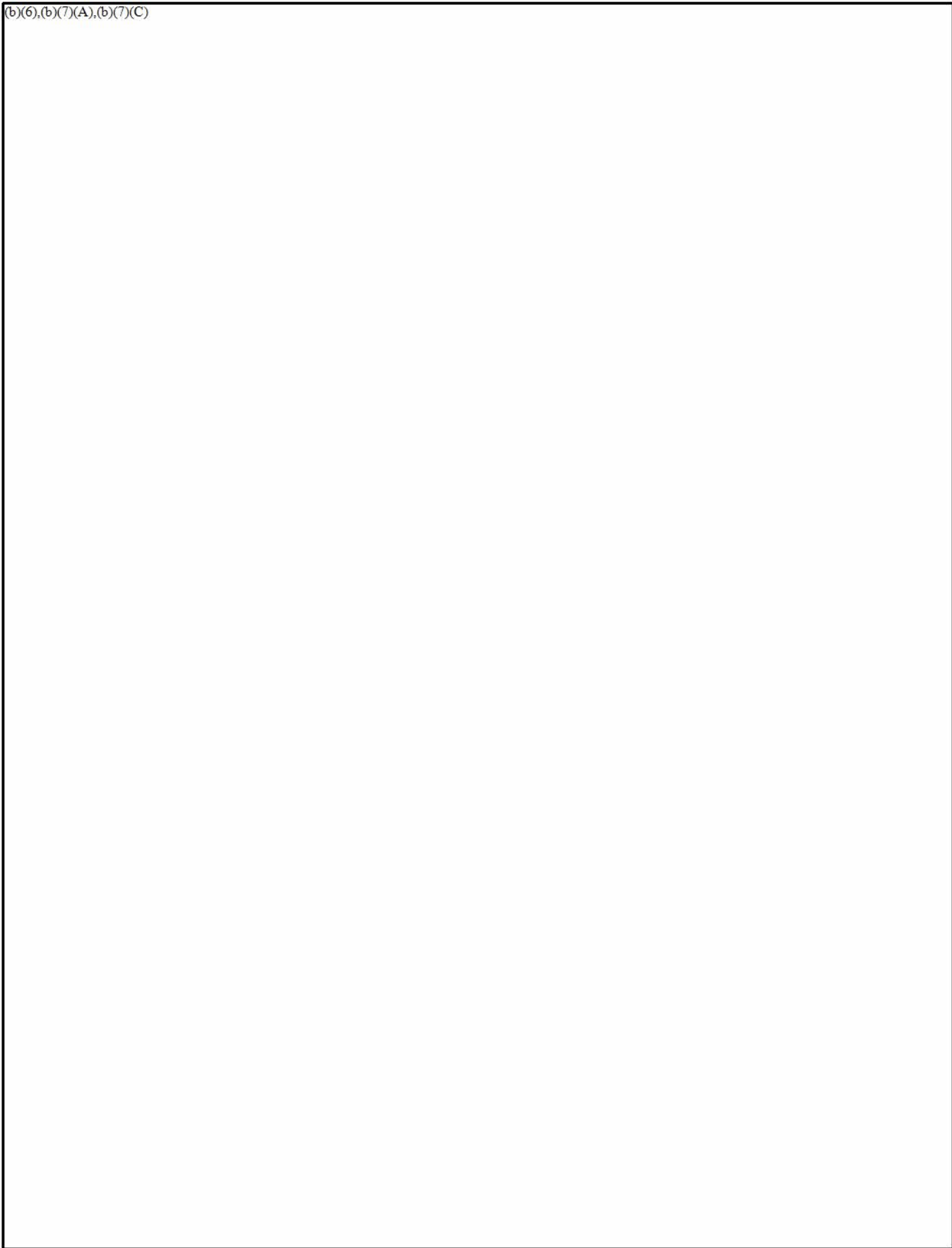
(b)(6),(b)(7)(A),(b)(7)(C)



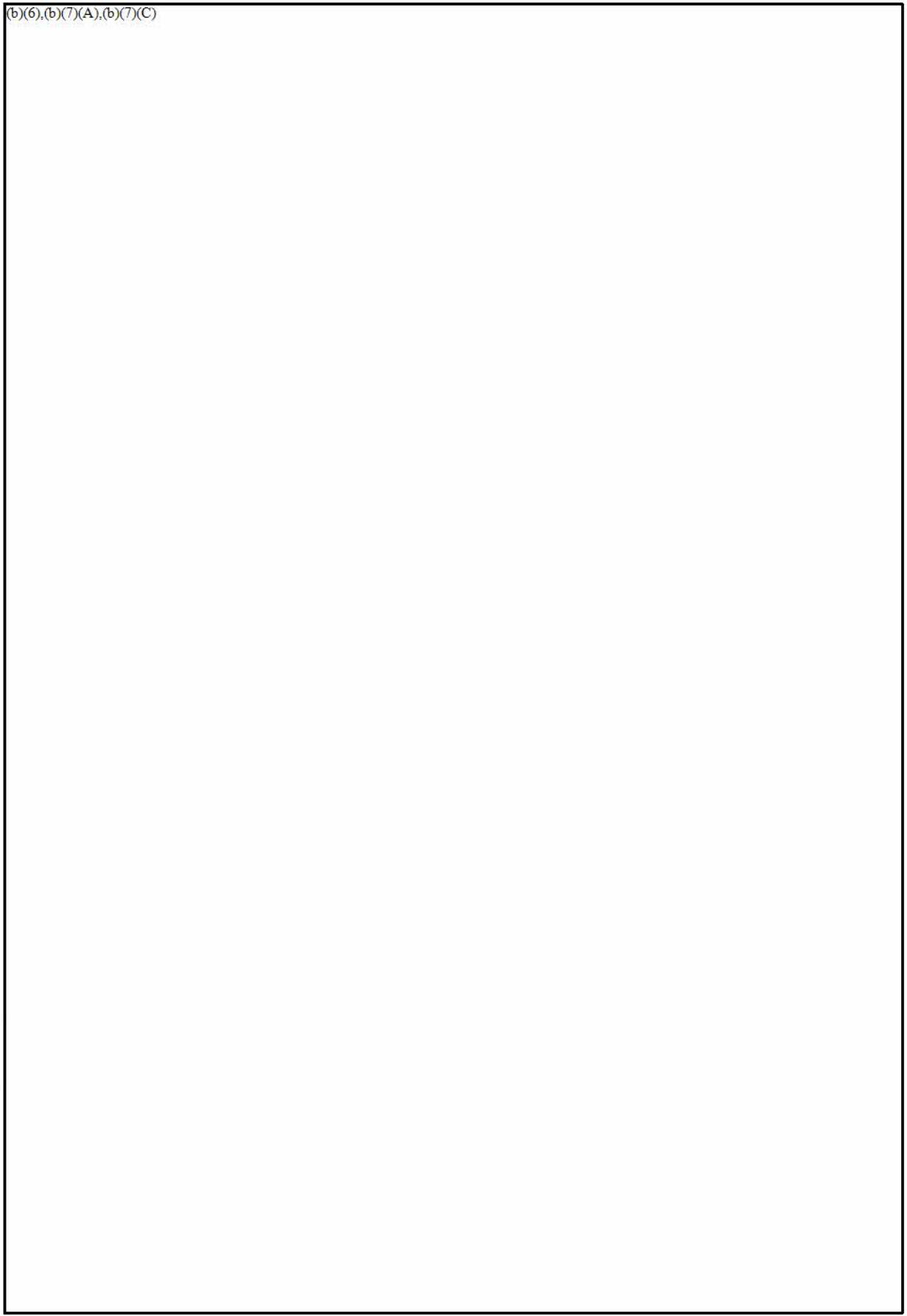
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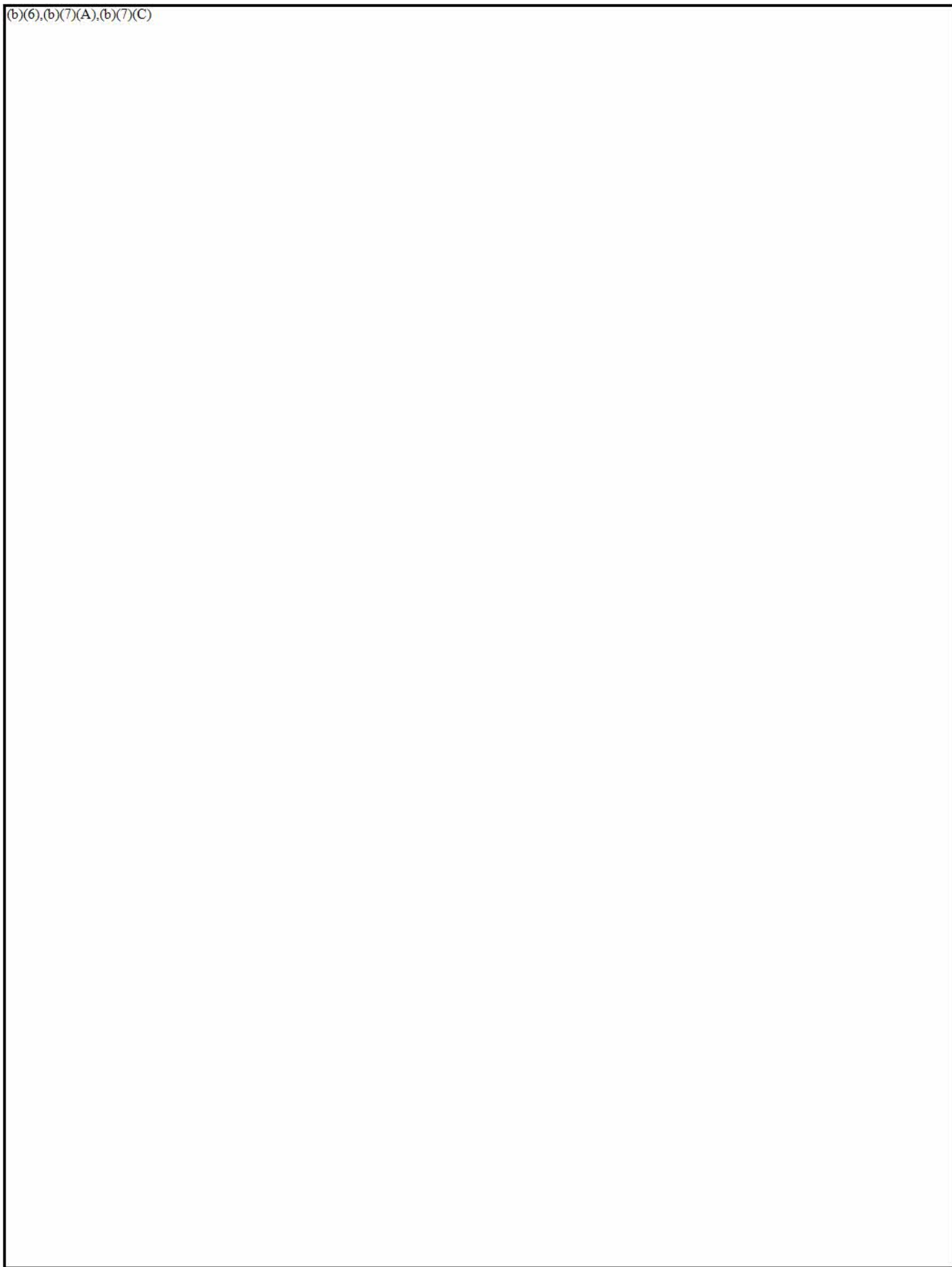


(b)(6),(b)(7)(A),(b)(7)(C)





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



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