



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

50 UNITED NATIONS PLAZA
MAIL BOX 1200; ROOM 1545
SAN FRANCISCO, CA 94102

REGION IV
SAN FRANCISCO

NOV 14 2016

Steven D. Lavine
President
California Institute of the Arts
24700 McBean Parkway
Valencia, California 91355-2397

(In reply, please refer to case no. 09-17-2016.)

Response required by: December 9, 2016

Dear President Lavine:

On (b)(6),(b)(7)(C) 2016, the U.S. Department of Education, Office for Civil Rights (OCR), received a complaint against the California Institute of the Arts (the Institute). The Complainant, (b)(6),(b)(7)(C) (the Student), alleges discrimination on the basis of sex. OCR currently understands the allegation to be that the University failed to provide the Student with a prompt and equitable resolution of a complaint of sexual assault filed against him by peers

OCR enforces Title IX of the Education Amendments of 1972 and its implementing regulations 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 allegation stated above is appropriate for investigation under the laws enforced by OCR. OCR will proceed with resolution of the complaint.

The Complainant has been notified that her allegation will be investigated in addition to an open investigation (under Docket # 09-14-2387) in which OCR is reviewing overall the Institute's overall policies and procedures, in addition to investigating the Institute's response to individual sexual assault complaints.

In addition to the data items already requested, please include a response to the following request for data items, specific to the allegations raised by this complainant:

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

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

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 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.

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.

If you have any questions about this letter, please contact me at (415) 486-5555.

Sincerely,



Charles R. Love
Program Manager



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SAN FRANCISCO, CA 94102

XXV REGION IX
CALIFORNIA

NOV 14 2016

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

(In reply, please refer to case no. 09-17-2016.)

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

On (b)(6),(b)(7)(C) 2016, the U.S. Department of Education, Office for Civil Rights (OCR), received your complaint against the California Institute of the Arts (the Institute). You allege discrimination on the basis of sex. OCR currently understands the allegation to be that the Institute failed to provide you with a prompt and equitable resolution of a complaint of sexual assault filed against you by peers.

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 College receives funds from the Department and is subject to the above laws and their regulations as enforced by OCR.

We have determined that the allegation stated above is appropriate for investigation under the laws enforced by OCR. Please note this complaint will be investigated in addition to an already open investigation (under Docket # 09-14-2387) in which OCR is reviewing the Institute's overall policies and procedures, in addition to investigating the Institute's response to individual sexual assault complaints.

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

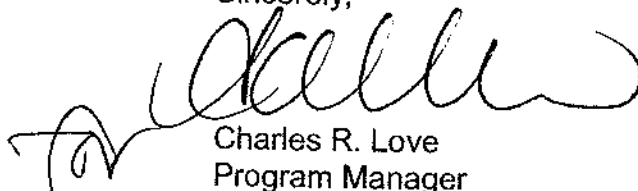
information gathered establishes an administrative or other basis for resolution in accordance with the *Case Processing Manual*.

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 contact me at (415) 486-5555.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles R. Love". The signature is written in a cursive style with a large, sweeping flourish at the end.

Charles R. Love
Program Manager