



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

THE WANAMAKER BUILDING, SUITE 515
100 PENN SQUARE EAST
PHILADELPHIA, PA 19107-3323

REGION III
DELAWARE
KENTUCKY
MARYLAND
PENNSYLVANIA
WEST VIRGINIA

February 16, 2017

IN RESPONSE, PLEASE REFER TO: 03172040

Dr. Michael T. Benson
President
Eastern Kentucky University
521 Lancaster Ave.
Office: Coates Admin. 107 Mailing: CPO 1A
Richmond, KY 40475

Dear Dr. Benson:

This is to notify you of a complaint filed by (b)(6); (b)(7)(C) (the Complainant) with the U.S. Department of Education (Department), Office for Civil Rights (OCR), against Eastern Kentucky University (the University). The Complainant filed the complaint on behalf of (b)(6); (b)(7)(C). The Complainant alleges that the University discriminated against the Student on the basis of sex (b)(7)(A),(b)(6); (b)(7)(C).

Consistent with our procedures for investigating complaints alleging sexual assault, OCR will also investigate whether the University failed to promptly and equitably respond to complaints, reports, and/or incidents of sexual violence of which it had notice, including the Student's complaint, and whether other students at the University, including the Student, were subjected to a sexually hostile environment.

OCR enforces Title IX of the Education Amendments of 1972, 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. Title IX also prohibits retaliation. As a recipient of Federal financial assistance from the Department, The University is subject to these laws.

Because OCR determined that it has jurisdiction and that the complaint was timely filed, OCR is opening the complaint for investigation. Please note that opening the complaint for investigation in no way implies that OCR has made a determination on the merits of the complaint. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from the Complainant, the University, and other sources, as appropriate. OCR will ensure that its

investigation is legally sufficient and fully responds to the allegations in accordance with the provisions of the Case Processing Manual, available at <http://www.ed.gov/ocr/docs/ocrcpm.pdf>.

(b)(7)(A)



(b)(7)(A)



Please notify OCR of the name, address, and telephone number of the person who will serve as the University's contact person during the resolution of this complaint. We would like to talk with this person as soon as possible regarding the information requested in this letter. In

addition, OCR may need to request additional information and interview pertinent personnel. If an on-site visit is determined to be necessary, you will be contacted to schedule a mutually convenient time for the visit.

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

Please be advised that Federal regulations prohibit recipients of Federal financial assistance from taking actions that intimidate, threaten, coerce, interfere, or discriminate against any individuals who exercise their statutory rights under the laws that OCR enforces, including filing a complaint with our office or taking part in the complaint resolution process.

OCR is committed to prompt and effective service. If you have any questions, please contact Michael Wesley, the Equal Opportunity Specialist assigned to this complaint, at (215) 656-6908 or by e-mail at michael.wesley@ed.gov.

Sincerely,



Melissa M. Corbin
Team Leader
Philadelphia Office

Enclosures