UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

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

NOV 2 7 2017

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Dr. Sheila M. Stearns
Interim President
Office of the President
University of Montana Missoula
32 Campus Drive
Missoula, Montana 59812-2522

Re: University of Montana Missoula
OCR Reference No. 10182006

Dear Dr. Stearns:

This letter is to notify you that the U.S. Department of Education (Department), Office for Civil Rights (OCR) received a complaint against the University of Montana Missoula (university) alleging that the university discriminated against (b)(6); (b)(7(C) (hereinafter, the student), on the basis of sex. OCR will investigate whether the university:

1. discriminated against the student on the basis of sex when it failed to respond appropriately to incidents of sexual violence reported by the student during the (b)(6); (b)(7(C) academic year.

2. discriminated against the student on the basis of sex when it failed to respond appropriately to incidents of retaliation reported by the student during the (b)(6); (b)(7(C) academic year.

OCR has the authority to enforce Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations. Title IX prohibits discrimination on the basis of sex in educational programs and activities receiving federal financial assistance. The university is a recipient of federal financial assistance from this Department and is, therefore, required to comply with Title IX.

OCR will proceed with an investigation of this complaint because the allegations raise possible violations of Title IX. OCR's decision to open an investigation 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"), where appropriate;

- 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.

As part of its investigation, OCR is requesting information from the university. OCR is authorized to obtain information pursuant to 34 C.F.R. §100.6(c). OCR is entitled to access information that may otherwise be protected as private or confidential as provided by 34 C.F.R. §§ 99.31 (a)(3)(iii) and 99.35(a)(1). Please submit the following information by **December 12, 2017**:

(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 or documents, interview pertinent personnel, and/or conduct an on-site visit.

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 by telephone at (206) 607-1607 or by e-mail at mark.farr@ed.gov; or you may contact Tina Sohaili, Attorney, by telephone at (206) 607-1634, or by e-mail at tina.sohaili@ed.gov.

Sincerely

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

Mark A. Farr
Senior Equal Opportunity Specialist

Enclosure

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WASHINGTON

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

Re: University of Montana Missoula
OCR Reference No. 10182006

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

This is to notify you that the U.S. Department of Education (Department), Office for Civil Rights (OCR) has completed its evaluation of the complaint you filed against University of Montana Missoula (university) alleging that the university discriminated against (b)(6); (b)(7(C) (hereafter, the student), on the basis of sex. OCR will investigate whether the university:

1. discriminated against the student on the basis of sex when it failed to respond appropriately to incidents of sexual violence reported by the student during the (b)(6); (b)(7(C) academic year.

2. discriminated against the student on the basis of sex when it failed to respond appropriately to incidents of retaliation reported by the student during the (b)(6); (b)(7 academic year.

OCR has the authority to enforce Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulation. Title IX prohibits discrimination on the basis of sex in educational programs and activities receiving federal financial assistance. The university is a recipient of federal financial assistance from this Department and is, therefore, required to comply with Title IX.

OCR will proceed with an investigation of this complaint because the allegations raise possible violations of Title IX. OCR's decision to open an investigation 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"), where appropriate;
- 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. We will be contacting the university to discuss the allegations. If you have any questions, please contact me by telephone at (206) 607-1607 or by e-mail at mark.farr@ed.gov; or you may contact Tina Sohaili, Attorney, by telephone at (206) 607-1634, or by e-mail at tina.sohaili@ed.gov.

Sincerely,

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

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

Mark A. Farr
Senior Equal Opportunity Specialist