

**The United States Department of Education
Office for Civil Rights**

**AMENDED
Complaint Against
the University of Southern California**

**Originally filed on May 22, 2103
Amended complaint submitted on June 4, 2013**

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I

INTRODUCTION

The University of Southern California . . . is committed to fostering a safe campus environment where sexual misconduct and violence are unacceptable, and where survivors or those who believe they were harmed by another in violation of this policy are provided support and avenues of redress as appropriate. All members of the university community are expected to conduct themselves in a manner that does not infringe upon the rights of others. The University Sexual Misconduct and Sexual Assault Policy and Procedures have been developed to reaffirm these principles and to provide recourse for individuals whose rights have been violated.

At the University of Southern California (“USC”), regardless of its stated policy, students who complain of sexual assault—ranging in severity from harassment to rape—are told they cannot expect “punitive action” against their assailants, because the University regards its adjudicatory system as a “rehabilitative” and “educative” process with regard to these crimes. USC will suspend or expel students for other academic offenses, but sexual predations—ninety-nine percent of which are committed against female students—are dealt with differently, in an “educative process”, another opportunity to enhance the University’s educational experience. But when universities are the gatekeepers to success in most fields of professional endeavor, a victimized student should not have to endure crimes such as rape to receive a degree and pass through that gate.

When an academic institution is informed that one of its student has raped another student, and the institution then fails to stand behind the victim and help the victim reclaim his or her sense of being seen, heard, respected, valued and *safe*, the institution is *contributing to the act of rape*—the college or university is enabling the continued de-humanization of a human being. This is unacceptable. It is a violation of that student's fundamental civil rights as well as her or his university-policy-provided rights.

In the following pages, you will read stories of rape, harassment, assault and gender discrimination at the University of Southern California. These stories provide many instances of

the University's repeated failures to respond appropriately and effectively to complaints of sexual violence. These stories detail the treatment of rape victims who are not informed fully of their rights, who are blamed for their victimization, and whose complaints are routinely discounted, misrecorded and misconstrued. These stories include instances of sexual harassment—by teachers or favored classes of students—in which victims were told they “probably don't want to pursue” investigation or prosecution of their complaints. These stories document a pattern of discouragement, failures to assist and outright bullying by the very individuals who have been empowered to support and protect victims of sexual abuse.

You will read the stories of the students who have fought vigorously, but largely unavailingly, to change this culture and the stigmatized silence surrounding it. From within this culture of hostility and deliberate indifference, the individuals filing this complaint have been forced to self-advocate in an attempt to receive equal protection under the law. This protection has not been provided them by the University, which now stands in violation of federal law.

The accounts of these individuals will illustrate an ongoing pattern of violations of Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act, the 2010, 2011 and 2013 “Dear Colleague” letters, and the Campus Sexual Assault Victims’ Bill of Rights, The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, and the Family Educational Rights and Privacy Act (FERPA). The stories within this complaint represent a mere fraction of the students who have been wronged by the University of Southern California. In regards to Title IX of the Education Amendments of 1972, the University of Southern California is an institution that is a recipient of federal funding.

All those filing were injured by one or more of the behaviors complained of herein. We will show that the discrimination and harassment have been severe and pervasive, that objectively offensive harassment occurred, and, further, that on repeated occasions this abuse and harassment denied students educational opportunities. Further, we will show that when these students went to the University for help, they were silenced, betrayed, and re-victimized. The University had *actual knowledge* of the harassment, and the institution's *deliberate indifference* caused students to suffer further. After coming out as survivors, being betrayed by their university, and hearing dozens of individual stories of rape at the University of Southern

California, Aisling Tucker Moore Reed and Alexa Kate Schwartz are filing a federal complaint—on behalf of themselves, ten additional named complainants, and scores of fellow student victims at USC who wish to remain unnamed—in order to end this circle of silence.

The complainants have proposed remedies that are extensive and significant. The complainants anticipate that the University will protest that the proposed remedies are too extensive; however, the University stands in repeated violation of federal law—it was found to utilize an insufficient and “inadequate” response to rape in June of 1992, and was further found to be in violation of federal requirements in 2007. Gradual progress in the face of repeated lack of cooperation with federal standards should no longer be seen as an acceptable option. The complainants urge the Department of Education to recognize that sexual assault and the **threat** of sexual assault constitutes an extreme form of discriminatory behavior that hugely impacts protected classes, restricting the ability of the members of that class to pursue higher education with equal assurance, access and freedom. The complainants further urge the Department to recognize that acting decisively now to require institutions of higher education to actively discourage sexual assault in all its forms will help finally to end a culture of rape and rape apology that has existed and persisted for centuries.

Now is the time for the Department of Education to act to stop the rape, sexual assaults and sexual harassment being perpetrated in this nation’s gateway institutions of higher education.

II
REMEDIES SOUGHT BY THE COMPLAINANTS

It has been reported that the Department of Education is exploring using the Montana protocol at the University of North Carolina at Chapel Hill and other universities that are the subject of Title IX complaints for failures to deal equitably with issues pertaining to sexual assaults and harassment. The complainants herein, however, do not believe the remedies being pursued at the University of Montana fully and sufficiently address the inadequacies in USC's present policies toward sexual victimization. The complainants respectfully request the following changes to University policies and procedures regarding the handling and adjudication of sexual assault or harassment perpetrated by a student (or staff member) against another student enrolled at USC:

A. HOLD THE UNIVERSITY TO AN OBJECTIVE STANDARD OF COMPLIANCE

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B. REMEDIES TO THE ADJUDICATION PROCESS:

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C. REMEDIES RELATING TO ACADEMIC PERFORMANCE AND “HOSTILE ENVIRONMENT”

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D. REMEDIES RELATING TO AWARENESS OF SERVICES PROVIDED AND TO AWARENESS OF PROBLEMATIC BEHAVIORS AND THE PENALTIES THEREFOR

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III
PARTIES

A. COMPLAINANTS

1. Aisling Tucker Moore Reed

[REDACTED]

with/on behalf of:

2. [REDACTED]

8. [REDACTED]

3. [REDACTED]

9. [REDACTED]

4. [REDACTED]

10. [REDACTED]

5. [REDACTED]

11. Alexa Kate Schwartz

6. [REDACTED]

12. [REDACTED]

7. [REDACTED]

13. [REDACTED]

PLEASE NOTE: Complainants [REDACTED] are graduates of the University whose experiences mirror those of current undergraduates but fall outside the 180 statute of limitations; their stories, however, establish an ongoing pattern of deliberate indifference.

B. DOE COMPLAINANTS

The Doe Complainants are students who, like the parties listed above, fall within the following protected classes:

1. women;
2. survivors of interpersonal violence, sexual harassment, and discrimination;
3. individuals with disabilities, particularly Rape Trauma Syndrome, Post Traumatic Stress Disorder, clinical depression and Takayasu Arteritis (Aortic Arch Syndrome).
4. all campus students, staff, faculty and community members who were not given timely notification of campus incidents involving sexual abuse, harassment and assault.

C. ACCUSED

University of Southern California

Los Angeles, CA 90089-0911

(213) 740-2311

NAMED VIOLATING STAFF

The following staff engaged in repeated violation of federal law and/or committed acts of egregious negligence and deliberate indifference:

Detective Kryssia Aviles, Department of Public Safety

Officer Ankri, Department of Public Safety

Donna Budar-Turner, Student Judicial Affairs and Community Standards

Officer Cazebas, Department of Public Safety

Dr. Shing Shiong Chang, psychologist, Engemann Student Health Center

Sheetal Chib, Center for Women and Men

Lindsey Goldstein, Student Judicial Affairs and Community Standards

Officer Gutierrez, Department of Public Safety

Dr. Michael Jackson, Vice President of Student Affairs

Dr. Keesha Jeter, Engemann Health Center

Dr. Euna Oh, psychologist, Engemann Student Health Center

Raquel Torres-Retana, Student Judicial Affairs and Community Standards

University transgression **is persistent and ongoing**, documented since the early 1990s. We respectfully request harsher penalties be imposed on specific staff whose behaviors are found to be unacceptable and who have been members of the administration since the 2005 investigation by the California State Audit.

III VIOLATIONS

The federal violations complained of herein fall within fourteen categories, as delineated below. The legal authority for each category of violation is provided here. In order to make the complainants' accounts more accessible and to facilitate ease of review, violations will be identified therein *by reference to category only*, and will not reiterate these authorities. However, by this enumeration, these authorities shall be presumed to be fully stated in each complaint by simple reference to the following categories. In addition, the complainants have added a fifteenth category for the University's frequent violations of its own explicit policies, and a sixteenth category of violations for unauthorized dissemination of protected student information under FERPA.

Categories of Violations:

1. Hostile Environment

A. Single incident of rape

Authority: Violation of Title IX of the Education Amendments of 1972 provision of an educational environment free of discrimination, as clarified in the Dear Colleague Letter of 2011. As per the DCL, a hostile environment constitutes sex discrimination, and "a single instance of rape is sufficiently severe to create a hostile environment."

B. Single Instance of Sexual Misconduct, including harassment, battery, assault

Authority: Violation of Title IX of the Education Amendments of 1972 provision of an educational environment free of discrimination, as clarified in the Dear Colleague Letter of 2011. As per the DCL, a hostile environment constitutes sex discrimination, and "the more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is physical. Indeed, a single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe."

C. Repeated Sexual Misconduct, including harassment, battery, assault

Authority: Violation of Title IX of the Education Amendments of 1972

provision of an educational environment free of discrimination, as clarified in the Dear Colleague Letter of 2011. As per the Dear Colleague Letter, a hostile environment constitutes sex discrimination, and includes “conduct that is sufficiently severe and pervasive to create an intimidating, hostile, or offensive environment.”

- D. Sexual Misconduct by Someone with a Known Record, including a disciplinary, academic or criminal record, for misconduct including harassment, battery and assault.

Authority: Violation of Title IX of the Education Amendments of 1972 provision of an educational environment free of discrimination, as clarified in the Dear Colleague Letter of 2011. As per the DCL, a hostile environment constitutes sex discrimination, and “the more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is physical. Indeed, a single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe.” Additionally, admitting students with known disciplinary records constitutes deliberate indifference to such harassment, *Simpson v. Univ. of Colo.* 372 F. Supp. 1229 (2005) and *Williams v. Bd. of Regents of the Univ. Sys. of Ga.*, 477 F.3d 1282 (11th Cir. 2007).

2. Harm to Academic Performance

Authority: Violation of Title IX of the Education Amendments of 1972 provision of an educational environment free of discrimination, as clarified in the Dear Colleague Letter of 2011.

3. Discouragement from Reporting

- A. Discouraged from Reporting Because of People or Policies

Authority: Violation of the Campus Sexual Assault Victim’s Bill of Rights of 1992; Violation of Violation of *Davis v. Monroe Board of Education*, 526 US 629 (1999), prohibiting a response from the school “that is clearly unreasonable in light of known circumstances”; Violation of the Campus Sexual Assault Victim’s Bill of Rights of 1992.

B. Discouraged from Reporting Due to Policies Relating to Liquor/Drugs

Authority: Violation of Title IX of the Education Amendments of 1972 provision that “schools should ensure that complainants are aware of their right to adjudication,” and the provision that “Schools should be aware that victims or third parties may be deterred from reporting incidents if alcohol, drugs, or other violations of school or campus rules were involved. As a result, schools should consider whether their disciplinary policies have a chilling effect on victims’ or other students’ reporting of sexual violence offenses,” specified in the Dear Colleague Letter of 2011.

4. **Failure to Inform of Right to Investigation by School or Police**

Authority: Violation of the Campus Sexual Assault Victim’s Bill of Rights of 1992; Violation of *Davis v. Monroe* (1999) prohibiting a response from the school “that is clearly unreasonable in light of known circumstances;” Violation of the Campus Sexual Assault Victim’s Bill of Rights of 1992; Violation of Title IX of the Education Amendments of 1972 provision that “schools should ensure that complainants are aware of their right to file a complaint with local law enforcement” as clarified in the Dear Colleague Letter of 2011.

5. **Complaint Process Not Prompt and/or Equitable**

A. Investigation/Appeal is too prolonged

Authority: Violation of Title IX of the Education Amendments of 1972 “prompt and equitable” provision. *See, generally, Dear Colleague Letter of April 4, 2011*, pp. 12-13, specifying: “Grievance procedures should specify the time frame within which: (1) the school will conduct a full investigation of the complaint; (2) both parties receive a response regarding the outcome of the complaint; and (3) the parties may file an appeal, if applicable. Both parties should be given periodic status updates. Based on OCR experience, a typical investigation takes approximately 60 calendar days following receipt of the complaint.”

B. Complainant Not Treated the Same as Respondent

Authority: Violation of Title IX of the Education Amendments of 1972 “prompt and equitable” provision. *See, generally, Dear Colleague Letter of April 4,*

2011, pp. 11-12, specifying “the parties must have an equal opportunity to present relevant witnesses and other evidence;” “The complainant and the alleged perpetrator must be afforded similar and timely access to any information that will be used at the hearing;” “a school should not allow the alleged perpetrator to review the complainant’s statement without also allowing the complainant to review the alleged perpetrator’s statement;” “If a school chooses to allow the parties to have their lawyers participate in the proceedings, it must do so equally for both parties.”

C. Complainant Not Given Equal Access to Evidence and Case Materials

Authority: Violation of Title IX of the Education Amendments of 1972 “prompt and equitable” provision that schools must provide “adequate, reliable, and impartial investigation of complaints.” *See, generally, Dear Colleague Letter of April 4, 2011*, pp. 11-12, specifying “the parties must have an equal opportunity to present relevant witnesses and other evidence;” “The complainant and the alleged perpetrator must be afforded similar and timely access to any information that will be used at the hearing;” “a school should not allow the alleged perpetrator to review the complainant’s statement without also allowing the complainant to review the alleged perpetrator’s statement.”

6. **Failure to Provide an Adequate, Reliable and Impartial Investigation**

A. Unfair Investigation

Authority: Violation of Title IX of the Education Amendments of 1972 “adequate, reliable, impartial investigation” complaint process provision as specified in the Dear Colleague Letter of 2011.

B. Problematic People Serving the Investigation

Authority: Violation of Title IX of the Education Amendments of 1972 “adequate, reliable, impartial investigation” complaint process provision as specified in the Dear Colleague Letter of 2011.

C. Restrictions on Complainant’s Ability to Present Evidence or Witnesses

Authority: Violation of Title IX of the Education Amendments of 1972 “adequate, reliable, impartial investigation” complaint process provision as specified in the Dear Colleague Letter of 2011.

7. Harassment During the Adjudication Process by Respondent/Others

Authority: Violation of Title IX of the Education Amendments of 1972's provision that a school must take strong responsive action to protect the complainant, and, "at a minimum, schools should follow-up with complainants to determine whether any retaliation or new incidents of harassment have occurred" as specified in the Dear Colleague Letter of 2011; Violation of *Davis v. Monroe Board of Education*, 526 US 629 (1999), prohibiting a response from the school "that is clearly unreasonable in light of known circumstances."

8. Failure to Accommodate Disability

A. Failure to Provide Accommodations for Disability

Authority: Violation of Title II of Americans with Disabilities Act of 1990 guarantee of equality of opportunity and Title IX of the Education Amendments of 1972 that guarantee of equality in the adjudication process.

B. Unfair Treatment Due to Mental Health or Other Health Concerns

Authority: Violation of Title II of Americans with Disabilities Act of 1990 guarantee of equality of opportunity and Title IX of the Education Amendments of 1972 that guarantee of equality in the adjudication process.

9. Unequal Access to Appeals

Authority: Violation of Title IX of the Education Amendments of 1972 provision that both parties have the same appeal rights, as clarified in the Dear Colleague Letter of 2011: The OCR "recommends that schools provide an appeals process. If a school provides for appeal of the findings or remedy, it must do so for both parties."

10. Appeal Granted in Violation of Policy

Authority: Violation of Title IX of the Education Amendments of 1972 provision requiring schools to notify both parties of the outcome of the complaint, as specified in the Dear Colleague Letter of 2011

11. **Creation of Hostile Environment Through Failures to Investigate**

Creating or furthering hostile environment by unreasonable disbelief of survivor's reports or by failure to investigate, thereby allowing predators to remain on campus

Authority: Violation of the Campus Sexual Assault Victim's Bill of Rights of 1992; Violation of *Davis v. Monroe Board of Education*, 526 US 629 (1999), prohibiting a response from the school "that is clearly unreasonable in light of known circumstances;" Violation of Title IX of the Education Amendments of 1972 provision of an educational environment free of discrimination, as clarified in the Dear Colleague Letter of 2011. As per the DCL, a hostile environment constitutes sex discrimination, and "the more severe the conduct, the less need there is to show a repetitive series of incidents to prove a hostile environment, particularly if the harassment is physical. Indeed, a single or isolated incident of sexual harassment may create a hostile environment if the incident is sufficiently severe."

12. **Creation of Hostile Environment Through Inadequate Sanctions**

Creating or furthering hostile environment by failing to expel known rapists or allowing known rapists to return, thereby allowing predators to remain on campus

Authority: Violation of Title IX of the Education Amendments of 1972 provision of an educational environment free of discrimination, as clarified in the Dear Colleague Letter of 2011. As per the DCL, a hostile environment constitutes sex discrimination, and "a single instance of rape is sufficiently severe to create a hostile environment." If a "single instance of rape is sufficient to create a hostile environment" (*Jennings v. Univ. of N.C. (2006)*), then letting a known rapist to remain on or return to campus is a deliberate act on the part of the school that fosters a hostile environment since serial rapists account for the vast majority of sexual assaults on campus. Also, a violation of *Davis v. Monroe Board of Education*, 526 US 629 (1999), prohibiting a response from the school "that is clearly unreasonable in light of known circumstances."

13. **Creation of Hostile Environment Through Inadequate Policies of Education and**

Prevention

Authority: Violation of Title IX of the Education Amendments of 1972 “education and prevention” provision that schools must provide “programs should include a discussion of what constitutes sexual harassment and sexual violence, the school’s policies and disciplinary procedures, and the consequences of violating these policies,” as specified in the Dear Colleague Letter of 2011.

14. Engaging In or Failing to Prevent Retaliation

Authority: Violation of Title IX of the Education Amendments of 1972 provision of an educational environment free of discrimination, as clarified in the Dear Colleague Letters of 2011 and 2013; Violation of *Davis v. Monroe Board of Education*, 526 US 629 (1999), ruling prohibiting a response from the school “that is clearly unreasonable in light of known circumstances”; Violation of Title VII of the Civil Rights Act of 1964 that prohibits retaliation against employees who engage in activities opposing unlawful discrimination; Violation of *Jackson v. Birmingham Board of Education* (2005) ruling prohibiting retaliation in response to making an allegation of sexual discrimination.

15. University’s Breach of Stated University Policies and Procedures**16. Violation of right to privacy; forceful procuring of confidential information.**

IV COMPLAINTS

A. The case of Complainant #1, Aisling Tucker Moore Reed (“Reed”), is as follows:

1. The predicate incident for this complaint occurred on 4 December 2010, when Reed’s acquaintance and date on that evening forced vaginal penetration upon her, ignoring her repeated pleas that he desist. Reed immediately thereafter reported she had suffered the elements and acts of rape in a written “chat” with her mother, although Reed was unable to put the word “rape” to what had occurred. Because Reed’s attacker was profusely apologetic and claimed both that he was not “responsible” because he had been “black-out drunk” and that he “loved” Reed, Reed continued to be confused as to the nature of her assault and continued to have a relationship with her attacker.

2. On 31 August 2011, Reed sought emergency or "crisis" counseling services at the University's Student Counseling Center. [See Appendix A, Exh. A.1, p. 1 from the entirety of Reed’s student counseling records.] Reed was delegated that afternoon to therapist Michelle Morgan Baggett ("Morgan Baggett"). Reed confided in Morgan Baggett that she had unresolved feelings regarding what Reed believed was a sexual assault she had experienced in December of 2010, perpetrated by her boyfriend, a fellow student enrolled at the University. Morgan Baggett suggested Reed seek further counseling at the Center for Women and Men, but did not accurately explain the function of the Center—Reed believed that any help sought at the Center would trigger an investigation into the assault, implicating her then-boyfriend. She was not disabused of this impression until October 2012. **Violation 4: Failure to Inform of Right to Investigation by School or Police; Violation 15: University’s Breach of Stated University Policies and Procedures.**

3. Also during the “crisis” appointment on 31 August, Reed reported depression and sleep issues to Morgan Baggett, who noted Reed was "sad and tearful throughout the interview to the point of sobbing, at times." [Exh. A.1.] Reed was not informed by Morgan Baggett (or by any Student Counseling Center employee at any time) of her right to seek academic disability services in light of her trauma. Reed received straight As prior to the incident, but began to

receive Bs, one C and one F. She dropped from full-time to part-time enrollment, and would eventually withdraw from approximately eight courses (and two full semesters) between January 2011 and April 2013, negatively impacting her ability to graduate within four years and reasonably expect admission to a top-tier law school upon receiving her undergraduate degree. [Exh. A.2a and A.2b, Reed's academic transcripts and enrollment history.] In 2013, Reed was urged by a staff member to withdraw from his class due to her extended disability-related absences. [Exh. A.3 email from Paul Backer to Reed.] **Violation 4: Failure to Inform of Right to Investigation by School or Police; Violation 15: University's Breach of Stated University Policies and Procedures.**

4. On 30 October 2012, Reed attended a joint "crisis" counseling appointment at the Student Counseling Center with her boyfriend (and alleged assailant), who confessed during the counseling session to felony sexual assault of Reed. [Exh. A.4, transcription of first half-hour of audio recording of felony assault confession to two USC employees. (Audio recording available upon request.)] Neither of the counselors advised Reed as to whether or not she could or should alert police, despite University policy that mandates that counselors report any statements made in counseling that "pose a risk to the student or other students". Instead, Reed was forced to seek the counsel of multiple attorneys, who urged her to report the crime.

Violation 4: Failure to Inform of Right to Investigation by School or Police; Violation 15: University's Breach of Stated University Policies and Procedures.

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6. [REDACTED] e," Reed was afforded every courtesy by the DPS officers who took her initial report. Reed was not informed by DPS, however, that her report would automatically trigger an internal investigation against her

alleged rapist that would be handled by the office of Student Judicial Affairs and Community Standards ("SJACS"). Reed was also never supplied a copy of her DPS report. **Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 15: University's Breach of Stated University Policies and Procedures.**

7. On or about 30 November 2012, Reed was told by a family friend that she ought to research USC's policies on sexual misconduct. It was at this time that Reed realized that an SJACS investigation should have been triggered by her 4 November report. Reed called the office's direct line and was informed by the secretary that Reed had been alerted to the investigation by email, sent to her academic email address. The secretary also stated that had Reed not responded to SJACS by that day, the SJACS investigation would have been carried on without her. [Exh. A.5, a 1 December blog post in which Reed details discovery of the SJACS process; Exh. A.6, an email from SJACS staff informing Reed that if she did not reply by 30 November 2012, SJACS would "move forward with the pending case without [her] input."] Reed was at that time on leave of absence from the University and was not checking her University email account. To the best of Reed's knowledge, no attempt was made to reach Reed via postal mail or telephone. **Violation 5.B: Inequitable Complaint Process Because Complainant Not Treated the Same as Respondent.**

8. On 7 December 2012 at 10:00 AM, Reed sat down with her mother, Kelly Moore ("Moore"), for a scheduled conference-call "interview" with Raquel Torres-Retana ("Torres-Retana") and Lindsey Goldstein ("Goldstein"), the "adjudicators" assigned to Reed's sexual misconduct investigation within the University. Prior to this interview, Reed had provided Torres-Retana and Goldstein with two audio recordings from October 2012 in which Reed's attacker confessed to raping Reed in December 2010.

9. Goldstein and Torres-Retana assured Reed that she could expect a "prompt" adjudication of the matter. In light of the overwhelming evidence, the women said, Reed could expect a decision from the office by mid-January or, at the latest, February of 2013. Emails from early January substantiate Reed's belief that SJACS would render a decision potentially before the start of term. [See Exh. A.7, an email from Reed to Lancon memorializing this statement.]

10. On 7 December 2012, Torres-Retana asked Reed if further assaults took

place—whether Reed’s boyfriend “forced sex” on Reed at any other time during their relationship. Reed testified that sex acts she did not want occurred commonly throughout the relationship; that when her boyfriend slept over at her apartment and lay beside her in her bed, Reed would often say “no” only to have her boyfriend insert himself anyway, and that on several occasions Reed had screamed at him or slapped him so that he would take “no” for an answer. [Exh. A.8, a 9 December blog post.] Goldstein asked Reed if Reed intended to return to school for the spring semester; Reed said that she did. Torres-Retana suggested to Reed that she not return that semester, and asked that Reed rethink her choice and get back to SJACS with her decision. **Violation 8.A: Failure to Provide Accommodations for Disability.**

11. On 3 January 2013, Reed contacted Goldstein to inform Goldstein that Reed was indeed returning, and to ask about services Reed might be able to utilize to ease her transition back into the academic environment. Five days later, on 8 January 2013, Goldstein sent Reed a brusque email in which Goldstein claimed Reed had already been supplied links to University resources, and that the resources had been explained to her during their 7 December conference call—despite the fact that this had not occurred. Goldstein further told Reed that Reed had always had the option of a “no-contact” agreement with her attacker; however, this, in fact, was an option that had *not* been explained to Reed previously. Reed immediately asked for the “no-contact” letter. [Exh. A.9, Reed’s email and Goldstein’s responses.] **Violation 8.A: Failure to Provide Accommodations for Disability; Violation 15: University’s Breach of Stated University Policies and Procedures.**

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 8.A: Failure to Provide Accommodations for Disability.**

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15. In light of the fact that Reed had supplied recordings in which her attacker confessed to the rape, Lancon was concerned that Reed's attacker had been allowed to return that semester. Lancon offered to speak to SJACS on Reed's behalf. Lancon subsequently arranged a follow-up "interview" between Reed and SJACS, assuring Reed it would help her case if Torres-Retana and Goldstein met Reed "face-to-face."

16. On 1 February 2013, Reed and Lancon sat down with Torres-Retana and Goldstein and Reed was re-interviewed—she was forced to recount the unfolding of events once more, in their entirety. Moore listened to a portion of the interview on speakerphone until she

became impatient with Torres-Retana: Torres-Retana stated, “We believe you”—at which point Moore demanded to know why, in that case, Reed’s attacker had been allowed to return to campus instead of being suspended pending further investigation. Fearing Moore was alienating Torres-Retana, Reed disconnected Moore.

17. In late January and early February of 2013, Reed began experiencing strong suicidal ideations. Prior to this time, she had no history of suicidality. [Exh. A.1, Reed’s counseling records, January and February 2013 entries.] On 26 January, she sought urgent “crisis” treatment from the Student Counseling Center for suicidal planning. On 5 February 2013, she again required crisis care for suicidal ideation and agreed to 72 hours of voluntary confinement in the psychiatric ward at the University Keck Medical Center. **Violation 2: Harm to Academic Performance.**

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22. As March approached with still no resolution of the adjudication in sight, Reed became increasingly concerned about the one-sidedness of the proceedings: SJACS had repeatedly informed her that *everything* she provided them would be shown to her attacker, but that she would not be able to see anything her attacker provided SJACS. Reed protested the one-sidedness of this process through a letter submitted on her behalf by Moore, wherein Moore questioned how a fair result could be obtained when the victim was prevented from hearing and responding to her assailant's arguments and evidence. [Exh. A.16, Moore email of 4 March 2013.] **Violation 5.A: Inequitable Complaint Process Because Investigation/Appeal is too prolonged; Violation 5.B: Inequitable Complaint Process Because Complainant Not Treated the Same as Respondent; Violation 5.C: Inequitable Complaint Process Because Complainant Not Given Equal Access to Evidence and Case Materials; Violation 15: University's Breach of Stated University Policies and Procedures.**

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24. At the end of April 2013, Moore, who was staying in Los Angeles following Reed's hospitalization for suicidal ideation, accompanied Reed to the SJACS office in order to meet with Torres-Retana and Goldstein personally. Moore told the secretary that she and Reed had questions regarding the sanctions email and wished to speak with Torres-Retana before Moore left town. Although the adjudicators were in the office that day, Moore was informed by a secretary that Torres-Retana and Goldstein were unavailable to speak with Moore for the remainder of the week. Moore clarified that it would not take longer than ten minutes; that Reed wished to speak with the adjudicators personally and have Moore serve as her legal advocate, and as Moore was leaving town the next day, that afternoon (or possibly early the next morning) would be Moore's only opportunity to serve as an advocate for Tucker. The secretary instructed

Moore to email all questions and concerns to Torres-Retana, assuring Moore that Torres-Retana would answer them immediately. Moore emailed Torres-Retana a host of questions on 4 March. Torres-Retana replied 6 March with a brief, unhelpful four-sentence email. [Exhibit A., email from Moore to Torres-Retana, email from Torres-Retana to Moore.]

25. On or about 14 March, Lancon informed Reed that Lancon would be leaving her position at the Center for Women and Men on 28 March, only two weeks later. Due to the looming departure of the only advocate familiar with her case, Reed scheduled a final sit-down with Torres-Retana and Goldstein (in which Moore and Lacon served as advocates) in an attempt to expedite Reed's case in light of Reed's ongoing emotional distress directly caused by the lengthiness of the adjudication process. **Violation 5.A: Inequitable Complaint Process Because Investigation/Appeal is too prolonged; Violation 8.A: Failure to Provide Accommodations for Disability.**

26. During this final meeting with SJACS on 27 March 2013, Moore voiced her increasing concern that Reed's rapist had been granted total access to Reed's evidence while Reed was not given a corresponding right. Both Moore and Reed provided evidence that Reed's attacker was now changing his testimony of events in order to dismiss the validity of certain vital evidence. Moore therefore requested Torres-Retana explain the adjudication process in better detail. Torres-Retana repeated several times: "We've already explained this. But we can give you the short version."

27. Moore also repeated her emailed request of 4 March that Torres-Retana retract or correct the SJACS email threatening sanctions for Reed's supposed "violation" of the "stay-away" letter. Torres-Retana and Goldstein refused to do so, saying it did "not matter at this point. That's a non-issue." **Violation 5.B: Inequitable Complaint Process Because Complainant Not Treated the Same as Respondent; Violation 5.C: Inequitable Complaint Process Because Complainant Not Given Equal Access to Evidence and Case Materials; Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 15: University's Breach of Stated University Policies and Procedures.**

28. During the 27 March meeting, Torres-Retana stated, in regards to her difficulty in

ruling in Reed's favor: "We know that all the students at this University are good students. They're good people. That's why they're here." Moore became upset, stating that such a belief on Torres-Retana's part was a blatant assertion of bias. Torres-Retana then explained to Moore and Reed that SJACS was having difficulty siding with Reed because both Reed and her attacker had provided "consistent" testimony that Reed had changed positions during the "intercourse" when her rapist told her to. (Reed's attacker's "consistent" testimony had initially relied on him having "no memory" of the sex act at all). Thereafter, despite Lancon's expert testimony during the meeting that it was common for victims to cooperate during an attack to speed its conclusion, Torres-Retana maintained Reed's movement (a half-hour into the assault) constituted "physical consent to intercourse." **Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 11: Creation of Hostile Environment Through Failures to Investigate; Violation 15: University's Breach of Stated University Policies and Procedures.**

29. Reed, Moore and Lancon were confused and bothered by Torres-Retana's statements during the meeting. Lancon assured Moore and Reed that she would follow-up with SJACS, "reason with them." She also promised she would email Reed that afternoon about further resources Reed might pursue in light of Lancon's looming departure the following day. Reed did not receive the email, and emailed Lancon at 2:00 AM on 28 March 2013, describing her distress over the meeting. Despite having one more day to fulfill her duties at the University, Lancon did not respond to this email. [Exh. A.7] **Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 11: Creation of Hostile Environment Through Failures to Investigate; Violation 15: University's Breach of Stated University Policies and Procedures.**

30. At Moore's suggestion, Reed followed-up on the meeting with a written appeal to Torres-Retana and Goldstein, providing them with numerous documented incidences in which victims of violence cooperate when under threat of further harm, as well as pointing out to Torres-Retana and Goldstein that their stance that her rapist was a "good person" prohibited SJACS from rendering an "unbiased" judgment per University policy. Reed provided this document in-person on 2 April 2013. **Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 11: Creation of Hostile Environment Through**

Failures to Investigate.

31. On 2 April 2013, Reed agreed to meet with Golstein in order to verify the dates of diary entries which corroborated Reed's version of events and Reed's rapist's death threat. Reed asked to have a fellow student "advocate" present for support; the office had Reed and fellow student (and Student Coalition Against Rape co-director) Alexa Kate Schwartz ("Schwartz") sign a confidentiality release. But Goldstein re-appeared and said that due to Schwartz's status as a currently-enrolled student, Schwartz could not serve as Reed's advocate. Because Lancon had left the staff at this time, Reed did not have anyone else who could serve as her advocate, and was forced to attend the meeting alone. **Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 8.A: Failure to Provide Accommodations for Disability; Violation 15: University's Breach of Stated University Policies and Procedures.**

32. To Reed's additional shock and dismay, Torres-Retana attended the meeting without notice. During the conference, when Reed attempted to suggest that the position delineated by SJACS, and by Torres-Retana and Goldstein specifically—that "all our students are good people"—was inherently biased against a finding of sexual assault (because "good people" by definition do not commit sexual assault), Torres-Retana became increasingly irate with Reed. Torres-Retana accused Reed of attempting to put words in Torres-Retana's mouth, and suggested the conference be terminated. Reed was reduced to hysteria and tears. **Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation.**

33. During this same conference Torres-Retana asked Reed (as she had on two previous occasions) what Reed wanted as an outcome from the adjudication. When Reed said she wanted to see her attacker expelled or otherwise sanctioned for his assault on her, Torres-Retana said: "This is not a punitive process. This is a rehabilitative process. This is an educative process." Torres-Retana further clarified that Reed should not and could not expect the University to respond in a "punitive" manner because "that is a matter for the courts. That is not what we exist to do." [Exh. A.19, a Reed Tumblr posting; Exh. A.20, notes of Torres-Retana's statements made by Schwartz and time-stamped by attached Kinko's receipt.] **Violation 12: Creation of Hostile Environment Through Inadequate Sanctions; Violation**

15: University's Breach of Stated University Policies and Procedures.

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35. Also on or about 25 April 2013, it came to Reed's attention that Torres-Retana had a history of "badgering" victims until they "dissolved into tears." On 30 April 2013, Reed met with fellow student victim [REDACTED]), who discussed in detail [REDACTED]'s attempt to access a DPS report regarding [REDACTED]'s assault that Torres-Retana had in her possession. According to Peng, Torres-Retana shut the door of her office and would not respond [REDACTED] ng (who was standing in the hallway) until [REDACTED] g fetched another staff member, at which time Torres-Retana supplied [REDACTED] g with the DPS report. **Violation 15: University's Breach of Stated University Policies and Procedures.**

36. Based on the accumulating evidence of Torres-Retana's misconduct, Reed and [REDACTED] made the impromptu decision to report Torres-Retana to Internal Affairs, at or around noon

on 30 April. Reed also intended to verbally demand that Torres-Retana be removed as an adjudicator of Reed’s case—a federally-protected possibility for all victims, of which Reed had never been informed until a friend at Occidental College brought it to Reed’s attention mere days before, on 26 April. **Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 15: University’s Breach of Stated University Policies and Procedures.**

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38. On 26 April 2013, with just weeks before Reed’s rapist would walk at graduation, Moore emailed Goldstein requesting a status update on the case. Goldstein replied to Moore’s question about whether SJACS had rendered a decision: “Tucker will be notified when that occurs. Once she receives the decision in writing, per our process she will have 10 business days to appeal.” Goldstein then elaborated further on the appeals process. It should be noted that at that time, Goldstein and Torres-Retana had not yet interviewed all relevant witnesses, but Goldstein seemed to inadvertently imply that SJACS had already found against Reed. [Exh. A.21 the email from Goldstein.]

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40. A decision in this adjudication was not issued until 9 May 2013, more than six months after Reed’s initial complaint. In the decision, Goldstein asserts as fact allegations that Reed was never before made aware of. Further, Goldstein erroneously asserts as “facts agreed-upon by both parties” numerous allegations which Reed categorically denies and denies ever having in any way misstated to the adjudicators; however, she is unable to prove the erroneousness of these allegations because no recordings were made of her interviews by the adjudicators, despite Reed’s specific request to make such recordings. This decision is being appealed on the basis that the hearing officers failed to follow university rules or regulations, as well as federal rules and regulations, when reviewing the cited behavior. The University explicitly did not allow Reed to challenge the decision on the grounds that the evidence was insufficient to support the decision reached. [Exh. A.28, SJACS decision letter.] **Violation 5.A: Inequitable Complaint Process Because Investigation/Appeal is too prolonged; Violation 5.C: Inequitable Complaint Process Because Complainant Not Given Equal Access to Evidence and Case Materials; Violation 9: Unequal Access to Appeals; Violation 15: University’s Breach of Stated University Policies and Procedures.**

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42. As stated in paragraph 31 herein, on 30 April 2013, Reed attempted to follow

University protocol and meet with Torres-Retana's direct supervising staff member to report Torres-Retana for staff misconduct (specifically, violation of University policy) and to verbally request Torres-Retana be removed as an adjudicator of Reed's sexual misconduct case. Reed further emailed the office and visited the office in-person in early May. As of 3 June 2013, no university staff member Reed has requested to meet with has agreed to meet with her to facilitate the staff misconduct reporting process. Further, no staff member correctly pointed her to the Office of Equity and Diversity, which frequently facilitates such reports. [Exh. A.30 email chain.]

B. The case of Complainant #2, [REDACTED], is as follows:

1. On 9 November 2010, during her freshman year at the University, **{Complainant #2}** sought "crisis" counseling at the Student Counseling Center. **{Complainant #2}** is a student who has been diagnosed with anxiety and clinical depression. **{Complainant #2}** communicated to the therapist she saw, Shing Shiong Chang, that **{Complainant #2}** wanted to kill herself and that she feared that if she was not hospitalized, she would. Chang told her that it was "okay" that she wanted to kill herself. **{Complainant #2}** became extremely emotional and upset that Chang, the man who was supposed to talk her out of crisis, was allowing her to have these thoughts, and feeding her desire to carry out the act. **{Complainant #2}** began to argue with Chang, telling him that this was the opposite of what she needed to hear and that he was helping inspire more desire to commit suicide. **{Complainant #2}** left abruptly, after Chang did not suggest or facilitate hospitalization. From then on, **{Complainant #2}** did not feel safe going to the USC counseling center, for fear that they would, once again, inform her that her suicidal tendencies were acceptable. **Violation 8.A: Failure to Provide Accommodations for Disability; Violation 15: University's Breach of Stated University Policies and Procedures.**

2. On 1 October 2011, despite her repeated verbal instruction that she did not give consent, a male **{Complainant #2}** had met at a sorority event digitally penetrated **{Complainant #2}** vaginally while the two students were being bused back to campus. After the event, **{Complainant #2}** felt ashamed and very confused. Her extant depression worsened. But after her "extremely negative" experience with USC during crisis, **{Complainant #2}** decided to forgo reporting her rape to ensure that she would not come out more emotionally damaged

than she already was. **Violation 1.A: Hostile Environment, Single incident of rape;**
Violation 3.A: Discouragement of Reporting Because of People or Policies.

3. A second assault occurred on 4 November 2011. **{Complainant #2}** attended a USC registered party at Sigma Phi Epsilon fraternity. She witnessed her 1 October assailant physically restraining a female student who was attempting to get away from him. **{Complainant #2}** distracted the male student, enabling the female to get away. While **{Complainant #2}** danced with her assailant, he fondled her and committed further physical assault. **{Complainant #2}** did not report the incident she witnessed or her second assault because of her lack of trust for DPS. **Violation 1.C: Hostile Environment, Repeated Sexual Misconduct; Violation 3.A: Discouragement of Reporting Because of People or Policies.**

4. On 4 March 2012, **{Complainant #2}** received word that one of her female friends, "Sally," had been choked by a male student Sally was dating at the time. **{Complainant #2}** immediately called DPS and requested that they send an officer to Sally's location at Alpha Chi Omega sorority. A second friend monitored Sally and sent status updates to **{Complainant #2}**. **{Complainant #2}** later found that DPS did not take the incident seriously and were only there for a few minutes. They asked Sally whether she wanted to file a report against her boyfriend, and when she said no, they immediately left without alerting Sally to the existence of counseling services. No claim was filed despite the fact that several students had witnessed the assault. **Violation 1.B: Hostile Environment, Single Instance of Sexual Misconduct;**
Violation 11: Creation of Hostile Environment Through Failures to Investigate.

5. In May 2013, **{Complainant #2}** reported her rape to the Department of Public Safety ("DPS"). DPS Officer Jones informed **{Complainant #2}** and her advocate, Tucker Reed ("Reed"), that young women ought to take better care of themselves and not go out, get drunk, and expect not to get raped. Reed recorded this statement, and **{Complainant #2}** also texted Reed at the time, accusing Officer Jones of being "blamey" and trivializing victims of rape. [Exhibit, Bedo's text to Reed.] **{Complainant #2}**'s rapist was expelled in July 2013. **Violation 6.B: Failure to Provide an Adequate, Reliable and Impartial Investigation, Problematic People Serving Investigation.**

C. The case of Complainant #3, alumna [REDACTED], is as follows:

1. In fall of 2009, **{Complainant #3}** was stalked by a fellow student living on the floor below her in her freshman dorm, Marks Hall. **{Complainant #3}** lived on a locked women's floor. **Violation 1.C: Hostile Environment, Repeated Sexual Misconduct.**

2. **{Complainant #3}** and her stalker were enrolled in a dance class together; after striking up conversation about **{Complainant #3}**'s class schedule, **{Complainant #3}**'s stalker switched into her biology and chemistry classes. **Violation 1.C: Hostile Environment, Repeated Sexual Misconduct.**

3. On September 27, 2009, **{Complainant #3}**'s stalker texted her informing her that he had moved into Marks Hall. When **{Complainant #3}** asked him why he moved, he told her it was because of her. When **{Complainant #3}** asked for other reasons for his move, **{Complainant #3}**'s stalker discontinued the conversation. **Violation 1.C: Hostile Environment, Repeated Sexual Misconduct.**

4. On October 2, **{Complainant #3}**'s stalker began to inappropriately touch **{Complainant #3}**'s buttocks and chest during dance class. **{Complainant #3}** asked him to stop and showed him the appropriate dance moves. **{Complainant #3}**'s stalker began to compliment her incessantly and ask others questions about her personal life. **Violation 1.C: Hostile Environment, Repeated Sexual Misconduct.**

5. On October 5, **{Complainant #3}** agreed to buy a biology study card from her stalker. **{Complainant #3}**'s stalker asked for permission to come upstairs. **{Complainant #3}** told her stalker to meet her in the Marks Hall lobby instead. During that public meeting, **{Complainant #3}** informed her stalker that she did not want people to know where she lived. **{Complainant #3}**'s stalker then invited her to see a movie with him; she declined his invitation. On or about 10 October, **{Complainant #3}**'s stalker asked to buy **{Complainant #3}** a gift and she again declined his advances. **Violation 1.C: Hostile Environment, Repeated Sexual Misconduct.**

6. **{Complainant #3}**'s stalker's demeanor escalated in intensity; he frequently attempted to initiate discussions with her and would wait for her outside of her classes and dining hall. Sometimes he would wait for her outside of the locked door to the women's dorm hallway so he could follow her to class or meals. During dance class, he frequently danced excessively close, smelled **{Complainant #3}**, and told her how good she smelled: "like fruit."

Violation 1.C: Hostile Environment, Repeated Sexual Misconduct.

7. **{Complainant #3}** developed a difficulty leaving her dorm room to go to class because she became fearful of seeing her stalker. Her class attendance dropped, and she subsequently did poorly in biology and chemistry. She had further difficulty studying for exams because she was afraid of seeing her stalker during exams; similarly, she had trouble taking her exams. On 11 November, **{Complainant #3}** withdrew from her chemistry course. **Violation 1.C: Hostile Environment, Repeated Sexual Misconduct; Violation 2: Harm to Academic Performance.**

8. On 1 December, **{Complainant #3}**'s stalker waited for **{Complainant #3}** outside of her biology class and asked her to do his "clicker" question for him. **{Complainant #3}** declined. **Violation 1.C: Hostile Environment, Repeated Sexual Misconduct.**

9. On 2 December, **{Complainant #3}**'s stalker obtained access to the locked women's floor where **{Complainant #3}** lived and left a note asking **{Complainant #3}** to do his clicker question for him. He left the clicker as well. **{Complainant #3}** found this letter upon her return to her dorm. **{Complainant #3}**'s stalker then returned to **{Complainant #3}**'s room later that day; he told her that he had been sending her frequent text messages, and appeared upset that she had not been receiving them or responding to them. He also seemed bothered that **{Complainant #3}** did not answer his phone calls. **{Complainant #3}**'s stalker then gave **{Complainant #3}** a medium-sized bag of candy as a gift. **{Complainant #3}** attempted to tell her stalker that she would not tolerate him coming to her room. He smiled at her and walked away, ending the encounter. **Violation 1.C: Hostile Environment, Repeated Sexual Misconduct.**

10. On 2 December, **{Complainant #3}** reported her experience to her Resident

Advisor (“RA”) in Marks Hall. The RA encouraged **{Complainant #3}** to report the stalker to DPS.

11. On 4 December, **{Complainant #3}** confronted her stalker after her dance class. She firmly informed him that she would not tolerate him coming to her room. **{Complainant #3}**’s stalker rationalized his actions, however, by claiming that it was “okay” because he had once talked to **{Complainant #3}**’s roommate’s father. **{Complainant #3}** again told her stalker that his behavior was not okay and threatened to take out a restraining order. At this time, **{Complainant #3}**’s stalker apologized and claimed that he did not know his behavior bothered **{Complainant #3}**. **{Complainant #3}** emphasized at that time that she did not want contact or a relationship with him. **{Complainant #3}**’s stalker then asked **{Complainant #3}** about her personal life and what classes she was taking the following semester. **{Complainant #3}** provided vague answers and abruptly ended the conversation, still fearing for her safety due to her stalker’s insistence on learning more about her life directly after she told him she did not want any contact or a relationship. **Violation 1.C: Hostile Environment, Repeated Sexual Misconduct.**

12. On 5 December, **{Complainant #3}** contacted Department of Public Safety (“DPS”) Chief Drayton and asked to share her documentation on what had been occurring. She stated that she did not wish to prosecute her stalker at that time. On 7 December, Chief Drayton responded to **{Complainant #3}**’s email advising her that he had forwarded it on to an investigator. On 8 December, DPS Detective Josh Voyda (“Detective Voyda”) responded, setting up a meeting with Forbat for 11 December.

13. On 9 December, a concerned friend delivered a note to **{Complainant #3}**’s stalker warning him that his behavior was disturbing **{Complainant #3}** and she could and would report him if he did not leave her alone.

14. On December 10, **{Complainant #3}**’s RA’s boss, an employee of USC, visited **{Complainant #3}** at her dorm room and told **{Complainant #3}** that USC would find “temporary housing” for **{Complainant #3}**’s stalker.

15. On 11 December, **{Complainant #3}** met with Detective Voyda and informed him that she had changed her mind and wished to take action against her stalker due to her overwhelming fear for her safety. Voyda informed **{Complainant #3}** that her stalker had reported *her*. Allegedly, the letter her friend had delivered “scared” her stalker. Detective Voyda admitted he had not seen the letter. DPS would not listen to **{Complainant #3}**’s complaint or review the “pages and pages” of evidence she had brought to them which corroborated her experience—instead, **{Complainant #3}** was lectured to for over an hour by Detective Voyda, who attempted to blame the stalker’s behavior on **{Complainant #3}**’s accessibility. Detective Voyda sat with **{Complainant #3}** and looked her up on Facebook; he proceeded to access photos and information and warn her that she should be more private. **Violation 5.B: Complaint Process Not Prompt and Equitable; Violation 4: Failure to Inform of Right to Investigation by School or Police; Violation 6: Failure to Provide an Adequate, Reliable, and Prompt Investigation; Violation 11: Creation of Hostile Environment Through Failures to Investigate.**

16. DPS offered to serve **{Complainant #3}**’s stalker a “no-contact” letter that would require he stay away from her, but informed **{Complainant #3}** they would have to issue her one as well, and it would “show up on [her] record.” **{Complainant #3}** did not understand why the behavior of another student would result in a permanent notation on her record, but agreed to let DPS issue the letter in fear for her safety. Without ever reviewing **{Complainant #3}**’s documentation or the details of the case, Detective Voyda told **{Complainant #3}** that her stalker was not actually a stalker because he had not threatened her. Detective Voyda also told **{Complainant #3}** that the friend who sent **{Complainant #3}**’s stalker the letter was banned from campus. She was informed that because there was a case against her, DPS could not do anything more to help Forbat. **Violation 3.A: Discouraged from Reporting; Violation 4: Failure to Inform of Right to Investigation by School or Police; Violation 6: Failure to Provide an Adequate, Reliable, and Impartial Investigation; Violation 11: Creation of Hostile Environment Through Failures to Investigate.**

17. **{Complainant #3}** never received the “no-contact” letter. To the best of her knowledge, neither did her stalker. Her stalker was never moved to new housing, and for the duration of the academic year he continued to show up in locations occupied by **{Complainant**

#3}, where he would stare fixedly at her for prolonged periods. **Violation 1.C: Hostile Environment, Repeated Sexual Misconduct; Violation 12: Inadequate Sanctions Fosters Hostile Environment; Violation 14: Engaging In or Failing to Prevent Retaliation.**

18. **{Complainant #3}** suffered anxiety and fear for her safety for the remainder of her time in Marks Hall, as well as her time at USC. This anxiety and fear for her safety continues to the present. At one point during the fall semester, **{Complainant #3}** suffered a “near mental breakdown,” barricading herself in her room “every possible moment”—she would “freak out” and hide in her closet if there were any sudden noises from outside. At times, **{Complainant #3}** had suicidal ideations. **Violation 2: Harm to Academic Performance; Violation 8.A: Failure to Provide Accommodations for Disability; Violation 11: Creation of Hostile Environment Through Failures to Investigate; Violation 12: Inadequate Sanctions Fosters Hostile Environment.**

19. **{Complainant #3}** never again sought help from DPS for issues that occurred throughout the duration of her enrollment at USC, with the exception of one unrelated email, which was never answered. **Violation 2: Harm to Academic Performance; Violation 3: Discouraged from Reporting.**

D. The case of Complainant #4, Sari Rachel Forshner (“Forshner”), is as follows:

1. On 13 January 2012, Forshner attended a party hosted by fellow USC students, approximately two blocks from the University Park Campus. She was provided and subsequently consumed a drink that LAPD investigators later concluded must have been drugged, as Forshner experienced amnesia after only three drinks but retained the capacity to walk without physical assistance. Forshner had consumed three drinks on more than one occasion without problem prior to 13 January without incident, and had never lost memory.

2. Forshner was seen by fellow student James Hayden (“Hayden”) being raped in the street outside the party venue by the student who had given Forshner the likely-drugged drink. Hayden also witnessed a Contemporary Services Corporation security officer—who are employed by the University and directed to inform the Department of Public Safety (“DPS”) immediately if they witness suspicious behavior—approach Forshner and her aggressor and instruct them to stop having sex in the middle of the road. The CSC officer did not use his Walkie Talkie to dispatch for DPS, even though that was what he was employed to do. The CSC officer then walked away from Forshner. **Violation 1: Hostile Environment.**

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4. When Forshner woke up on 14 January, she had no recollection of the previous night’s events past when she was first approached by her aggressor and his friend and engaged in brief conversation. Forshner discovered she had a head wound that would require medical attention.

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14. Both Forshner and Forshner's father were extremely discouraged by DPS's lack of cooperation, and have lost trust in them as enforcers of safety. Indeed, Forshner and her family were forced to retain local legal counsel out of pocket to seek cooperation from DPS.

Violation 3: Discouraged from reporting.

E. The case of Complainant #5, alumna [REDACTED]) is as follows:

1. On or about 12 December 2008, {Complainant #5} was raped at USC by a friend's roommate, also a student at the University. After {Complainant #5} told her friend about the incident, he urged her to report it. **Violation 1.A: Single Incident of Rape.**

2. Approximately two days later, during the evening, {Complainant #5} reported the incident to the Department of Public Safety ("DPS"). A rape kit was completed; the results came back affirmative. Officers from the Los Angeles Police Department were dispatched to take an initial report.

3. The following morning, {Complainant #5} woke to LAPD officers at her door. The LAPD officer who questioned her was "invalidating," asking {Complainant #5}, "What do you really want to happen to him? Do you realize you could ruin his life and he could go to jail?" This experience led {Complainant #5} to drop pursuit of her case. **Violation 3.B: Discouragement of Reporting, Discouraged from Reporting Because of People or Policies.**

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F. The case of Complainant #6, [REDACTED] is as follows:

1. In late August 2010, **{Complainant #6}** attended “Unspeakable Acts,” a freshman orientation skit about sexual violence. This orientation did not identify the many forms of sexual assault, and only gave a stereotypical example of a woman being drugged with Rohypnol. No information was given about what a bystander should do in the event that they witness sexual violence. No direct information was given about the reporting process of sexual misconduct. No information was given about statute of limitations. No information was given about the statistics of sexual assault at USC. No information was given about disciplinary action for the perpetrator. The orientation was the only rape education was provided to **{Complainant #6}** by the University. This orientation did not require all students attend. The audience was laughing throughout the orientation. **{Complainant #6}** felt discouraged because the school did not take sexual assault seriously. **{Complainant #6}** was not sure the course of action would be appropriate in the event that she experienced sexual violence. **{Complainant #6}** also felt that she was not at risk because she was unaware of the prevalence of sexual violence at USC. To **{Complainant #6}**, the message was not made clear that students are in danger of being attacked by other students. **Violation 4: Failure to Inform of Right to Investigation by School or Police; Violation 13: Creation of Hostile Environment Through Inadequate Policies of Education and Prevention.**

2. After this orientation, in fall of 2010, at a party at the Phi Gamma Delta fraternity house, a fellow student forcibly undressed **{Complainant #6}** and forced **{Complainant #6}** to perform oral sex on him. She escaped from her aggressor using force. **Violation 1.A: Hostile Environment, A single Incident of Rape.**

3. Following the incident, **{Complainant #6}** did not report the assault because she was uneducated about the fact that what had occurred is rape. **Violation 3.A: Discouragement of Reporting, Discourage from Reporting Because of People or Policies; Violation 4: Failure to Inform of Right to Investigation by School or Police; Violation 13: Creation of Hostile Environment Through Inadequate Policies of Education and Prevention.**

4. Throughout high school, **{Complainant #6}** had been a high-performing student.

Following the incident, **{Complainant #6}**'s academic performance has suffered. **{Complainant #6}**'s impaired performance is ongoing, and she continues to experience lowered academic motivation, inability to get out of bed and go to class, and anxiety that prevents her from focusing on schoolwork for long periods of time. During the fall semester of the 2012-13 academic year, **{Complainant #6}** was forced to withdraw from an English class because her performance was so poor. [See Appendix F, Exh. F.1, high school report card, Exh. F.2 and F.3, college report cards] **Violation 2: Harm to Academic Performance.**

5. Also during the fall of the 2012-13 year, **{Complainant #6}** discovered through her own research that what she experienced falls within the federal language of rape. **{Complainant #6}** felt ambivalent about reporting the rape, but predicted nothing would come out of reporting. **{Complainant #6}** evaluated that she would be inconvenienced to a higher degree than the accused would be. She was further discouraged by witnessing the mishandling of her friends' sexual misconduct cases and their eventual dismissal. **Violation 3: Discouraged from Reporting.**

6. On 10 May 2013, at 3:00 PM, **{Complainant #6}** met with Aida Gooden, a counselor from USC Student Counseling Services. **{Complainant #6}** was referred to the Center of Women and Men, and Gooden asked **{Complainant #6}** if she wanted to report the incident together. Gooden did not inform **{Complainant #6}** about a two-year Student Judicial Affairs statute of limitations of sexual misconduct reports, nor did any University official; **{Complainant #6}** found out this information from a friend. Had **{Complainant #6}** been aware of the statute, she might have reported the incident earlier. As of 1 June 2013, **{Complainant #6}** has not reported the assault to Student Judicial Affairs; she believes it is too late. [Exh. F.4, counseling appointment reminder] **Violation 4: Failure to Inform of Right to Investigation by School or Police; Violation 13: Inadequate Education and Prevention Fosters Hostile Environment.**

G. The case of Complainant #7, Ariella Mostov (“Mostov”) is as follows:

1. On 16 December 2012, Mostov was raped by a close friend and fellow screenwriting major at the University of Southern California. **Violation 1.A: Hostile Environment, Single incident of rape.**

2. As a direct result of this incident, Mostov developed and was diagnosed with Post Traumatic Stress Disorder and clinical depression. Several different doctors corroborated these diagnoses. Mostov was prescribed sedatives and SSRIs so she could continue to pursue her degree. **Violation 2: Harm to Academic Performance.**

3. Mostov developed suicidal tendencies; she attempted suicide-by-overdose twice, on 2 February and 16 February 2013.

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7. Mostov went through the detoxification process while attending classes. Because she was a part of a highly-regimented Bachelor of Fine Arts program, Mostov was under the impression that there was nothing her professors could do to work around her medical

disabilities—and Mostov was not informed by Student Counseling staff that she had other options. She missed approximately one week of school during the benzodiazepine withdrawal period, but the withdrawal symptoms lasted a total of five weeks, during which time Mostov experienced severe paranoia, panic and anxiety, loss of muscle coordination (including tremor), and pervasive physical illness. **Violation 2: Harm to Academic Performance; Violation 4: Failure to Inform of Right to Investigation by School or Police; Violation 8.A: Failure to Provide Accommodations for Disability.**

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10. On 12 March, Mostov was contacted via email by Andrea Torres (“Torres”) of Student Advocacy, a division of Student Affairs. [Exh. G.6, 12 March 2013 emails.] Torres told Mostov they wanted to “meet her”—Torres promised Mostov “a safe and confidential environment in which to address any issues a student maybe *[sic]* facing” and that the “office may be able to provide you with any assistance or guide you to campus resources.” Following her experience with Oh, Mostov was reluctant to deal with University staff any further; Mostov told Torres she had been “suffering from ulcers” but was “better now.” **Violation 3.A:**

Discouragement of Reporting, Discouraged from Reporting Because of People or Policies.

12. On 15 March, Torres replied in an email: “I’m sure you are aware of the campus resources available to you and perhaps what the concerns are about. However, it is university policy that when our office receives a concern about a student, the student is required to make an appointment so that we can discuss the concern face-to-face. This is not negotiable.”

Mostov ultimately was forced to schedule a sit-down with Student Advocacy for 27 March 2013.

Violation 5.B: Complaint Process Not Prompt and/or Equitable, Complainant Not Treated the Same as Respondent; Violation 8.A: Failure to Provide Accommodations for Disability; Violation 8.B: Unfair Treatment Due to Mental Health or Other Health Concerns; Violation 15: University Breach of Stated University Policies and Procedures.

13. On 27 March, Mostov met with Assistant Director of Student Support and Advocacy Lauren Elan Helsper (“Helsper”), Assistant Director of Student Judicial Affairs Donna Budar-Turner, and director of the Center for Women and Men Danielle Lancon. Due in large part to the dismissive and shaming treatment she had experienced at the Student Counseling Center in February, Mostov had been hesitant to report her rape. During their meeting, Mostov admitted to Helsper that she had been raped. **Violation 7: Harassment During the Adjudication Process by Respondent/Others; Violation 8.A: Failure to Provide Accommodations for Disability.**

14. Mostov further shared with them her discomfort that her attacker was in every single one of her classes; Helsper told Mostov it was “too late” in the semester to do anything about this. It was only at this point that Mostov became aware that she *could have* pursued scheduling options earlier in the semester, effectively enabling her to avoid constant and continued exposure to her rapist. **Violation 8.A: Failure to Provide Accommodations for Disability; Violation 11: Creation of Hostile Environment Through Failures to Investigate; Violation 13: Creation of Hostile Environment Through Inadequate Policies of Education and Prevention.**

15. Helsper had Department of Public Safety (“DPS”) officers dispatched to their

meeting. Helsper remained in the room as Mostov made her report; Helsper further asked Mostov if it was all right to bring another employee—a social worker—that Helsper believed was “more familiar with these issues.” Mostov, who had her own psychotherapist, said she was not comfortable with this, and repeated this sentiment several times when pressed by Helsper.

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19. Two weeks later, on or about 19 April, Mostov met with Raquel Torres-Retana of

the Student Judicial Affairs and Community Standards (“SJACS”) office. Mostov found the meeting to be unnecessarily harsh: Torres-Retana insisted on going over the details of Mostov’s story again and again, asking such questions as: “Where did he get the condom?” and “Was there any conversation?” and “How would you describe him?” It became clear to Mostov that SJACS had already spoken with her attacker and were “comparing notes,” as it were. Mostov felt the situation rapidly dissolved into “he-said, she-said.” **Violation 5.C: Inequitable Complaint Process Because Complainant Not Given Equal Access to Evidence and Case Materials; Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation.**

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23. Torres-Retana asked Mostov if there was any more evidence to support her rape claim, and Mostov said SJACS should attempt to obtain the threatening video the defendant made for their film class, as it was USC copyrighted property (made with USC-owned equipment) and would be accessible to them and useful to illustrate how threatening the defendant could be. SJACS never disclosed to Mostov any of the evidence supplied by her attacker, and as far as she was informed or is aware [REDACTED] he [REDACTED]. **Violation 5.B: Complaint Process Not Prompt and/or Equitable, Complainant Not Treated the Same as Respondent; Violation 5.C: Complaint Process Not Prompt and/or Equitable, Complainant Not Given Equal Access to Evidence and Case Materials; Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation.**

H. The case of Complainant #8, [REDACTED] is as follows:

1. Early in the fall semester of 2012, **{Complainant #8}** reported to her floor's Resident Advisor, Adeel Mohammadi ("Mohammadi"), in the Parkside dormitory housing complex, that a fellow student told her, "I'm going to drag you down to die with me." **Violation 1.B: Hostile Environment, Single Instance of Sexual Misconduct.**

2. Mohammadi, her RA responded by advising her "not to shower" because then her harasser "might leave her alone"—so that **{Complainant #8}**'s stench would deter the harassment. Mohammadi did not report **{Complainant #8}**'s concerns to any higher office at this time, nor did he provide **{Complainant #8}** with any further assistance or resources. **Violation 3.A: Discouragement of Reporting, Discouraged from Reporting Because of People or Policies; Violation 4: Failure to Inform of Right to Investigation by School or Police; Violation 11: Creation of Hostile Environment Through Failures to Investigate.**

3. On 20 October 2012, **{Complainant #8}** was subject to sexual battery and forcible digital penetration by this same fellow student at her dormitory. **Violation 1.A: Hostile Environment, Single incident of rape; Violation 1.C: Hostile Environment, Repeated Sexual Misconduct; Violation 11: Creation of Hostile Environment Through Failures to Investigate.**

4. On 28 October 2012, **{Complainant #8}** filed a sexual assault report with the Department of Public Safety ("DPS"). She also reported her rapist's threat against her life. **{Complainant #8}**, an international student who speaks English as a second language, was confused by the DPS reporting process. It was not until December 2012, after her case had been dismissed by the District Attorney's office for lack of evidence, that **{Complainant #8}** was informed of her right to see a copy of her DPS report. **Violation 5.C: Inequitable Complaint Process Because Complainant Not Given Equal Access to Evidence and Case Materials; Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 8.A: Failure to Provide Accommodations for Disability.**

5. On Tuesday 20 October, **{Complainant #8}** met with Danielle Lancon ("Lancon"),

director of the Center for Women and Men. **{Complainant #8}** asked for a restraining order against her assailant. Lancon indicated that she would file a “stay-away” letter through the campus affairs immediately.

6. On Thursday 1 November, at approximately 6:00 PM, **{Complainant #8}**’s assailant violated the “stay-away” letter by texting her. She reported this to Lancon, who indicated that it was indeed a violation. **{Complainant #8}** never heard of any follow up on her report. **Violation 1.C: Hostile Environment, Repeated Sexual Misconduct; Violation 7: Harassment During the Adjudication Process by Respondent/Others.**

7. In November, **{Complainant #8}** had one interview with an LAPD detective. He gave her a case number that did not show up in their system when **{Complainant #8}** checked later. Her case was never opened by the District Attorney’s office. **{Complainant #8}** believes this is due to a lack of evidence provided on her initial 28 October DPS report. **Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 11: Creation of Hostile Environment Through Failures to Investigate.**

8. **{Complainant #8}** met with Lancon on two more occasions in November (on 7 November and 15 November). During the 7 November meeting, **{Complainant #8}**’s mother attended as an advocate, explaining to Lancon that **{Complainant #8}** had a disability called *takayasu arteritis* and that the extra stress and fear relating to the incident made it dangerous for **{Complainant #8}** to walk around campus without any update on the case or whereabouts of her perpetrator. On 15 November, Lancon directed **{Complainant #8}** to Raquel Torres-Retana, director of Student Judicial Affairs and Community Standards (“SJACS”), who said she was ready to move forward with the judicial processing of **{Complainant #8}**’s case. **Violation 8.A: Failure to Provide Accommodations for Disability.**

9. Meanwhile, **{Complainant #8}** had fallen into bad health and was suffering additional pain as a result of injury from her rape. **{Complainant #8}**’s internal injuries from the assault had been so severe, she was advised by a doctor to soak in a bathtub every day for thirty minutes until the internal wounds healed. Because of her poor health, **{Complainant #8}** was unable to contact SJACs to contribute evidence at this time. SJACS went ahead with the

investigation without waiting to gather further comments or clarification from **{Complainant #8}**. [Exhibit H.1, medical records; Exhibit H.2, social media conversations regarding medical treatment; Exhibit H.3, emails to Torres-Retana] **Violation 6.C: Failure to Provide an Adequate, Reliable and Impartial Investigation, Restrictions on Complainant's Ability to Present Evidence or Witnesses; Violation 8.A: Failure to Accommodate Disability, Failure to Provide Accommodations for Disability; Violation 8.B: Unfair Treatment Due to Mental Health or Other Health Concerns.**

10. On 7 December 2012, **{Complainant #8}** received notice that her case was being dismissed by SJACS. [Exhibit H.4, letter from SJACS] **Violation 11: Creation of Hostile Environment Through Failures to Investigate.**

11. On 18 December, **{Complainant #8}** requested a copy of her DPS report and found that the report was incomplete and inaccurate. There was no reference to the death threat that her perpetrator had made against her (and that she had reported to DPS on 28 October), and other details had been misreported or omitted entirely. **{Complainant #8}** then expressed her interest in appealing the SJACS decision and consulted with Lancon, who advised her to amend the report and write up any more relevant information to add to her appeal. This time **{Complainant #8}** made sure to contact the Office of Disability Services to get the appeal deadline extended so that she could have time to compile all relevant information. [Exhibit H.5a, H.5b, H.5c, DPS report; Exhibit H.6, email chain with Lancon] **Violation 6.A: Failure to Provide an Adequate, Reliable and Impartial Investigation, Unfair Investigation; Violation 11: Creation of Hostile Environment Through Failures to Investigate.**

12. In early January of 2013, **{Complainant #8}** went to the DPS office to amend her report with DPS detective Kryssia Aviles ("Aviles"). Aviles wrote down the information that **{Complainant #8}** gave her but did not confirm with Peng that her report would be or could be amended. **{Complainant #8}** stressed to Aviles, as she had stressed to Lancon and Torres-Retana, that she was concerned for her own safety as well as the safety of others because her assailant had demonstrated unstable and threatening behavior. **{Complainant #8}** asked that Aviles look into the history of a security tape from the SAL computer lab for evidence of **{Complainant #8}**'s assailant physically harassing **{Complainant #8}** (See exhibit 2).

{Complainant #8} has reason to believe that this evidence was never thoroughly sought. In response to {Complainant #8}'s concerns about her future safety, Avilles told {Complainant #8} "not to worry" because if her attacker didn't know where {Complainant #8} now lived, {Complainant #8} "should be fine." In response to the report of a death threat against {Complainant #8}, Avilles said that "LAPD handle[d] homicide cases, not DPS." [Exhibit H.3, email chain with Torres-Retana] **Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 11: Creation of Hostile Environment Through Failures to Investigate; Violation 12: Creation of Hostile Environment Through Inadequate Sanctions; Violation 15: University's Breach of Stated University Policies and Procedures.**

13. On 26 January {Complainant #8} emailed Lancon for guidance on the appeal process. {Complainant #8} indicated in this email that she was terrified to proceed with the appeal process. Lancon did not respond until {Complainant #8} sent a follow up email on 4 February, ten days later. [Exhibit H.6, email chain with Lancon] **Violation 5.A: Complaint Process Not Prompt and/or Equitable, Investigation/Appeal is too prolonged; Violation 9: Unequal Access to Appeals.**

14. In February {Complainant #8} discovered that her attacker had not been moved out of her old dormitory, despite what Lancon had indicated when {Complainant #8} first brought her case to the Center for Women and Men in November. {Complainant #8} was put in immediate fear for her physical safety in her academic environment (having already been forced out of her living situation). She was then forced to re-evaluate her route for walking through campus and dining locations. **Violation 8.A: Failure to Provide Accommodations for Disability; Violation 11: Creation of Hostile Environment Through Failures to Investigate; Violation 12: Creation of Hostile Environment Through Inadequate Sanctions; Violation 15: University's Breach of Stated University Policies and Procedures.**

15. Feeling that the University "stay-away" letter had not proved adequate protection, and doubtful that it would be enforced, {Complainant #8} moved to file a restraining order with the City of Los Angeles. In order to do so, {Complainant #8} requested a copy of her amended report from DPS. It was at this time that {Complainant #8} discovered that Avilles had not

amended the contents of the report as **{Complainant #8}** had asked, but had merely revised the report's time and date. **Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 11: Creation of Hostile Environment Through Failures to Investigate.**

16. On 23 February, **{Complainant #8}** met with Lynette Merriman ("Merriman"), Senior Associate Dean of Students. **{Complainant #8}** had not previously been advised that she could bring an advocate into her meetings with administrators—by this time **{Complainant #8}** had connected with a student group that made her aware of this right and arranged the meeting with Merriman upon hearing **{Complainant #8}**'s concerns. The student group sent a student advocate to this meeting. At this meeting Merriman wrote down **{Complainant #8}**'s complaints and encouraged **{Complainant #8}** to continue to work with the student group.

17. On 5 March 2013, **{Complainant #8}** was sent a letter in response to her appeal explaining that SJACs had upheld their previous decision to dismiss her case. **Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 11: Creation of Hostile Environment Through Failures to Investigate.**

18. On 20 March, **{Complainant #8}** met with Torres-Retana in the SJACS office. According to **{Complainant #8}**, Torres-Retana maintained a cold, defensive and unhelpful attitude throughout the meeting. When **{Complainant #8}** questioned Torres-Retana about the results of the SJACS decision, Torres-Retana explained to her that witness statements had been taken from students who lived in the dormitory and that, from these statements, no evidence had been found to support **{Complainant #8}**'s claims that her rapist was abusive or violent. Torres-Retana also told **{Complainant #8}** that during these interviews, **{Complainant #8}**'s Resident Advisor, Mohammadi, had attested that he did not recall their discussion on how **{Complainant #8}**'s assailant had been harassing her (in which he had advised **{Complainant #8}** to "not shower" for three days). **Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 11: Creation of Hostile Environment Through Failures to Investigate.**

19. On 1 April, Lancon (who had been **{Complainant #8}**'s advisor and advocate on

the case) left the Center for Women and Men and ceased to work at USC. **{Complainant #8}** was given less than two days' notice about this turn of events and was left without an advocate with a grasp of the specifics of her case. **{Complainant #8}** believes that it is likely that no one would have given her any notice about this change of events if she had not run into Lancon on campus.

20. On 2 April, **{Complainant #8}** met again with Lynette Merriman ("Merriman"), Senior Associate Dean of Students, and a new counselor from the office of Student Counseling Services. The counselor began by leafing through **{Complainant #8}**'s appeal and questioning the validity of her statements against other administrators. When the student advocate redirected the conversation back to **{Complainant #8}**'s safety concerns, **{Complainant #8}** explained to Merriman and the counselor her fears about her attacker's mental instability. She explained how her attacker had revealed suicidal ideations in his harassing conversations with **{Complainant #8}**. Merriman explained that due to the decision made by SJACS, the University could do no more than recommend to her attacker that he attend counseling and simultaneously uphold the "stay-away" letter until **{Complainant #8}** graduated. During this meeting **{Complainant #8}** also told Merriman about Mohammadi's inappropriate comments in response to her original complaint. Merriman indicated that she would follow up with the director of Resident Advising about this. **{Complainant #8}** also brought records of her correspondence with Lancon to this meeting to display Lancon's delayed responses. **Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 11: Creation of Hostile Environment Through Failures to Investigate.**

21. As of this filing, **{Complainant #8}** has not heard back from Merriman or any other administrator about any follow-up on these points. **Violation 5: Complaint Process Not Prompt and/or Equitable.**

22. As of this filing, **{Complainant #8}**'s report has still not been amended despite numerous attempts to follow up with DPS since March. **Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 11: Creation of Hostile Environment Through Failures to Investigate.**

24. **{Complainant #8}** feels that the DPS investigation of her case was inadequate and that the SJACS assessment relied on erroneous and incomplete evidence. **{Complainant #8}** feels that she was not given enough support in the reporting process of her case. **{Complainant #8}** also believes that the evidence that she provided in her appeal was not taken into account. Further, **{Complainant #8}** believes her complaint with the LAPD was sabotaged by the inaccurate and inadequate reports made of the events by DPS. **Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 11: Creation of Hostile Environment Through Failures to Investigate.**

I. **The case of Complainant #11, Alexa Kate Schwartz ("Schwartz"), is as follows:**

1. On 21 February 2013, Schwartz went to the University's Center for Women and Men to discern the process of reporting a rape that occurred in August of 2010. **Violation 1.A: Hostile Environment, Single incident of rape.**

2. Schwartz was directed to fill out a form with contact information. Schwartz also supplied the perpetrator's name, requesting that the school find out his status as a student so Schwartz could make the decision whether to report the 2010 incident to the school or to the Los Angeles Police Department. Schwartz was assured by a University staff member, Sheetal Chib, the Student Program Coordinator for the Center of Women and Men, that this information would be supplied to Schwartz.

3. [REDACTED] a
[REDACTED] ha
[REDACTED] ly
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[REDACTED].

4. At 4:00 PM, Schwartz went back to the Center for Women and Men. When Schwartz reminded Chib about her February request and asked why she had never been informed of her assailant's status as a student, Chib told Schwartz, "I forgot all about it." Chib then looked up the assailant's status while Schwartz waited; the search took approximately fifteen minutes. **Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 11: Creation of Hostile Environment Through Failures to Investigate.**

5. [REDACTED] ng
[REDACTED] ds
[REDACTED] e,
[REDACTED] e,

[REDACTED] nt
[REDACTED]

6. Schwartz has been diagnosed with clinical depression since approximately March of 2013. Schwartz sought counseling from the University in September 2012; she benefitted from University counseling services from September 2012 until late November 2012; after the allowed ten visits, she was instructed to go off-campus for therapy. [Exh. I.2 email from Blum to Schwartz.] **Violation 8.A: Failure to Provide Accommodations for Disability.**

7. [REDACTED] a
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Additionally, as an indirect party in others' adjudication processes, Schwartz has witnessed

other misconduct on the part of University:

9. On 18 March 2013, Schwartz's therapist reported a domestic violence situation between Schwartz's friend and the friend's boyfriend to "Trojans Care 4 Trojans," an online service through which students can anonymously express their concern for fellow students and be connected with institutional support. On 22 March 2013, Schwartz filed her own report of the domestic violence situation to "Trojans Care 4 Trojans", and supplied the friend's and boyfriend's phone numbers and email addresses as well as their place of residence. Both Schwartz and Schwartz's therapist received emails promptly from Assistant Director of Student Support and Advocacy Lauren Elan Helsper thanking them and assuring them that the necessary steps were being taken to ensure that Schwartz's friend would be given the support that she required. However, neither Helsper nor anyone got in touch with Schwartz's friend or her boyfriend. Additionally, neither Helsper nor anyone followed up with Schwartz, despite Schwartz's statement that she was willing to come in and supply additional information. "Trojans Care 4 Trojans" is one of many "resources" the University provides which are not subject to reporting crime statistics, per Clery Act requirements. [Exh.I.4, Email from Blum to Schwartz; Exh. I.5, Email from Schwartz to Blum; Exh.I.6, Email from Helpser to Blum and Schwartz; Email I.7, from Helpser to Schwartz.]

10. On 2 April 2013, at 11:00 AM, Schwartz was told that she could not serve as fellow student Tucker Reed's advocate during a meeting with two committee members of the Office of Student Judicial Affairs and Community Standards because Schwartz was "a current student." According to SJACS staff member Lindsey Goldstein, because the alleged persecutor was also a student, Schwartz's presence at the meeting would constitute a breach of his confidentiality. Reed was thus forced to meet with SJACS staff with no advocate present. Neither Reed nor Schwartz was told that Reed had the right to have an advocate, and that the meeting could be delayed until she found one. [Exh. Exh. I.8, notes Schwartz took that day that were photocopied for Reed's records; Kinko's receipt.] **Violation 4: Failure to Inform of Right to Investigation by School or Police; Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation.**

11. On 10 May 2013, Schwartz emailed a letter of complaint protesting the University's handling of Reed's case to various administrators. On 14 May 2013, Schwartz

received an emailed response from Jody Shipper, the University's Title IX coordinator, assuring Schwartz that it had been at Reed's discretion whether or not to have an advocate present during her meeting on 2 April 2013, and that she could not speak to "Ms. Reed's decision" not to bring Schwartz in the room. This was not the case; Schwartz had been denied entry by the adjudicators, not by Reed. Shipper also said that parties to the adjudication process are given the opportunity to delay an interview; Schwartz witnessed that Reed was given no such option.

[Exhibit I.8] **Violation 15: University's Breach of Stated University Policies and Procedures.**

12. On 2 May 2013, at 3:45 PM, Schwartz gave testimony for another student's case in the Student Judicial Affairs office. After giving the testimony, Schwartz told SJACS assistant director Budar-Turner that she had been considering going through the SJACS process for her own assault case. In advising Schwartz about filing, Budar-Turner revealed her ignorance of the statute of limitations for reporting rape in California. **Violation 3.A: Discouragement of Reporting Because of People or Policies; Violation 4: Failure to Inform of Right to Investigation by School or Police.**

J. The case of Complainant #10, [REDACTED], is as follows:

1. During her freshman year in October 2008, **{Complainant #10}** was raped by a fellow USC student. **{Complainant #10}** reported the assault to Student Affairs as well as the Los Angeles Police Department. **{Complainant #10}** was made to repeat the painful story many times, to many different people. **Violation 1.A: Hostile Environment, Single incident of rape.**

2. The Student Judicial Affairs and Community Standards (“SJACS”) committee found **{Complainant #10}**’s assailant guilty of rape. As punishment, he was told in a formal letter to stay away from **{Complainant #10}**, and he was allowed to finish his last semester as a graduate student. **Violation 12: Creation of Hostile Environment Through Inadequate Sanctions.**

3. **{Complainant #10}** was impacted by her rapist’s presence on-campus: “I remember every single day of his last semester I felt sick. Whenever I saw someone who looked remotely like him, I was terrified. My stomach dropped. I walked around our not so big campus in total fear that I would run into my rapist grabbing a coffee at Tro Gro, or in the Leavey library while I was studying.” [Exh. J.1a and J.1b, “No Longer Silent”] **Violation 2: Harm to Academic Performance; Violation 8.A: Failure to Provide Accommodations for Disability; Violation 12: Creation of Hostile Environment Through Inadequate Sanctions.**

K. The case of Complainant #12, [REDACTED], is as follows:

1. On 7 May 2013, **{Complainant #12}** filed a report with Officer Gutierrez of the Department of Public Safety (“DPS”) regarding an incident of physical sexual harassment that occurred on 2 May 2013. This incident involved a male stranger who approached Wilensky on campus and attempted to kiss her. When **{Complainant #12}** tried to get away she was informed that the interaction was a “prank” and was videotaped. **{Complainant #12}** insisted that she did not give consent for the footage to be used. **Violation 1.B: Hostile Environment, sexual misconduct.**

2. On 6 May, **{Complainant #12}** discovered that she had been identified in the prank video, which had aired publicly on Youtube prank series “Simple Pickup.” The series features videotaped “pranks” in which three men harass and physically assault USC female students [Exhibit K.1: “Trying to Kiss Girls” Youtube video]. Another female student contacted **{Complainant #12}**, stating that she also had been assaulted by one of the men and that these men had fraudulently claimed to be USC Psychology graduate students performing an experiment. It was under this premise that this second student had signed a consent waiver for the footage. **Violation 1.C: Hostile Environment, Repeated Sexual Misconduct.**

3. **{Complainant #12}** promptly reported the men of “Simple Pickup” to Officer Gutierrez from USC’s Department of Public Safety. She provided the name and photo of the male who harassed her, and further identified the other two men who were involved in the videos. **{Complainant #12}** asked whether Officer Gutierrez could input the three men’s photos and names into their database, or inform other DPS Officers to watch out for them. She also requested that DPS formally contact “Simple Pickup” via email or letter, acknowledging that their presence was not welcome on campus. Officer Gutierrez responded that the department was “understaffed” and it would not be possible. **Violation 3: Discouraged from Reporting.**

4. **{Complainant #12}** then asked if there was another officer with whom she could speak who could ensure her complaint and request would be handled. Officer Gutierrez responded that he was the only officer with whom she could speak. She then asked Officer Gutierrez to explain the process by which her complaint would be filed. Officer Gutierrez

responded that the complaint would be reviewed by a detective who would decide the next steps, and whether Student Judicial Affairs and Community Standards needed to be contacted.

Violation 4: Not Informed of Rights; Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation.

5. **{Complainant #12}** then requested the names and contact information of the detectives who would be involved, and Officer Gutierrez claimed he could not release that information. She then asked if there was a means by which she could receive record, via email, call or file copy, of the complaint she filed. Officer Gutierrez responded that it was not possible. When pressed, he responded that she could attempt to call within two weeks. **Violation 5: Complaint Process Not Prompt and/or Equitable.**

6. **{Complainant #12}** then asked where she could fully read and understand her rights as a female USC student who was harassed on campus. Officer Gutierrez responded that he did not consider her complaint “harassment” because she was the “only person to have come forward about it.” He stated that she could only file a complaint and wait for a response, and that a follow-up was not guaranteed. He did not provide her information, or a way to find information, regarding her rights as a USC student. He did not provide **{Complainant #12}** her DPS report number. He did not refer to her the Los Angeles Police Department, the Center for Women and Men, or the USC Office of Equity and Diversity. **Violation 4: Not Informed of Rights; Violation 5: Complaint Process Not Prompt and/or Equitable; Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation; Violation 11: Creation of Hostile Environment Through Failure to Investigate; Violation 13: Creation of Hostile Environment Through Inadequate Policies of Education and Prevention; Violation 15: University’s Breach of Stated University Policies and Procedures.**

7. On 8 May 2013, **{Complainant #12}** contacted the Center for Women and Men who referred her to the USC Office of Equity and Diversity. The USC Office of Equity and Diversity recommended she contact the Watch Commander, and provided contact information. On 9 May 2013 **{Complainant #12}** contacted Watch Commander Smith regarding both the harassment incident and her interaction with the DPS Officer. Watch Commander Smith provided her the name and contact information of the detective who would handle her

case—Detective Voyda. He also provided **{Complainant #12}** her DPS report number. He assured **{Complainant #12}** that he, or a detective, would contact her the following day regarding the case.

8. On 11 May 2013, other USC students commented via Facebook that "Simple Pickup" had been on campus again and that their actions were "invasive and inappropriate." **Violation 1.C: Hostile Environment, Repeated Sexual Misconduct; Violation 11: Creation of Hostile Environment Through Failure to Investigate.**

9. By 13 May 2013, **{Complainant #12}** had not been contacted by the USC Department of Public Safety or Student Judicial Affairs and Community Standards. She called the Watch Commander Officer and was told that he was not in his office; she left a message for him. She asked about the status of her complaint, and was informed she could not be told. **{Complainant #12}** then asked whom she could contact to hear about who was handling her case, and the state of her case. She was told that she would have to wait and hear back from the Watch Commander or a detective. **{Complainant #12}** then asked when Watch Commander Smith would be in his office, so she would be able to speak with him. She was told that that information could not be provided. She then tried to contact Detective Voyda, who did not answer. She left a voicemail regarding her case, and requesting further information but did not receive a response. **Violation 6: Failure to Provide an Adequate, Reliable, and Impartial Investigation and Harassment.**

INTRODUCTION TO ANONYMOUS COMPLAINTS

The general perception of the students surveyed or interviewed with respect to the University's stance towards sexual misconduct is that it is unwise to report such misconduct to anyone because the reporting party will not be adequately assisted and will be shamed, blamed and targeted. Further, there is a general perception that the University's reporting system is deliberately designed to keep undesirable statistics—the numbers of rapes and other misconduct—artificially low in order not to discourage applications to the University. This latter result is achieved, it is widely believed, by:

- (a) discouraging reporting of incidents to DPS by a policy of redirecting such reports to the Center for Men and Women (which is able to maintain confidential reports),
- (b) discouraging traumatized victims from reporting to the Los Angeles Police Department by focusing on the prospective trauma involved in that process,
- (c) trivializing complaints that are made,
- (d) absolving as many of the accused as possible by undervaluing the evidence and testimony of victims and overvaluing the evidence and testimony of the accused,
- (e) disregarding the obligation to reach a verdict of rape if a victim was intoxicated,
- (f) eliminating successful appeals of verdicts in favor of the accused by making inadequate findings of fact while at the same time precluding any review of the factual bases for verdicts.

Several of the anonymous complainants herein suffered sexual assault and/or harassment within certain departments of the University that have a reputation among the student body for repeated sexual misconduct that is never punished because victims are made aware that they will lose opportunities within these departments if they report abuse. In particular, the USC Band and Athletic Department have a reputation for immunity from repercussions for sexual misconduct. **(See Doe Complaints #1 and #2.)**

Anonymous complainants also point to a widespread mentality of predatory sexual behaviors in the Greek community. A majority of reports of rapes perpetrated on intoxicated, or even “roofied”, victims come from this community. In light of findings made during the compilation of this complaint, which suggest under-reporting and even manipulation of sexual

assault statistics by the University, the history of such behaviors at the University was researched. It was found that [REDACTED] dits [REDACTED]:

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DOE COMPLAINANT #1

A student in the marching band.

In the fall of 2011, a member of the USC Trojan Marching Band was sexually assaulted by another band member in a hotel room on the annual “weekender” trip to San Francisco. This student has since taken a leave of absence from the university and left the marching band program. Although staff members of the Trojan Marching Band were aware of the incident, the assailant was allowed not only to remain in the Trojan Marching Band, but was also allowed to remain in his leadership positions as both a squad leader and a section leader.

Other students with awareness of the incident remain concerned for their safety and the safety of other marching band members. These students have no knowledge of any disciplinary action taken, and feel that the marching band (a department under Student Affairs) has not taken necessary action to ensure the safety of band members or adequately discipline perpetrators of rape and sexual assault.

DOE COMPLAINANT #2

A female student associated with a Trojan football player.

On December 13, 2012, I submitted a report of battery against [NAME WITHHELD], who is a USC football player, to DPS. When I arrived at the DPS office, I was escorted to a back room where I was asked to recount the events the night the battery took place. I was told that I had to give an initial report of events and then an official report to make sure that my story stayed the same. After I gave the initial recount, I was instructed to wait in the room until an ex-LAPD officer, who specialized in rape and domestic abuse, could take the official report. As I waited, I heard at least two male DPS officers, on the other side of the door, talk about getting the perpetrator's autograph and then proceeded to talk about which football games he excelled in. I sat there crying in disbelief while I listened to their conversation and realized that my only line of defense was biased and advocating for the perpetrator's side. Soon, ex-LAPD Officer M. Kuckowicz entered the room to take the official report. I told him what I had heard from the other officers; he waved it off saying I heard wrong and that it was a coincidence. I told him that I did not want to give the report because of what I had heard and he threatened me saying I had to give the report because they had already contacted the head football coach. I ran out of the office and LAPD Officer Sabrina Brown caught me outside by the parking structure and made me go back inside. At first, I resisted and screamed that I did not want to go back in and that I was not consenting to go back in. She hugged me and slowly brought me back to the office as I cried, screamed and pushed her to get off me. She comforted me and I reluctantly gave my report. After I gave my official recount, Officer Brown left the room and Officer Kuckowicz started taking down my personal information. When he asked my weight, he made inappropriate comments like, "I wish my wife could get back down to your size," and then he looked my body up and down and said, "Yeah, that's a good size."

I did not hear back from Student Judicial Affairs and Community Standards until the next semester. On February 7, 2013, Raquel Torres-Retana emailed me about scheduling an appointment to talk to her about the incident. Warily, I agreed even though I wanted to move past the incident because it had taken place months before. I met with Ms. Torres-Retana on February 8, 2013. She said she wanted to get a better perspective on the incident that had occurred that night. She condoned [NAME WITHHELD]'s behavior because "maybe he was angry and he was just not thinking." She stood by this stance even after I told her about the aggressive behavior I continued to receive from him following the week of that event. At the end

of the meeting, Ms. Torres-Retana stated, "Since he has only done this once, MAYBE we will give him an anger management workshop." Maybe I am not clear on the rules but am I supposed to wait to submit a report until he has put his hands on me a second time or a third time?

Recently, I asked one of the four witnesses [of the assault] if he had ever received a call from DPS regarding the events of that night. He said that DPS or SJACS never contacted him pertaining to the situation.

I am extremely upset at the state of affairs because I feel degraded by DPS, deliberately ignored by Ms. Torres-Retana, and disrespected by USC administration. I am not looking for punishment against [NAME WITHHELD]; this issue is completely about the maltreatment and injustice that I received from DPS and SJACS.

The case of DOE COMPLAINANT #3 is as follows:

1. Doe #3 attended USC from August 2010 to approximately April of 2011. Doe #3 was raped by a fellow USC student in January 2011. Doe #3 also experienced extreme anxiety and was the target of bullying in the aftermath of the rape. **Violation 1.A: Hostile Environment, Single incident of rape.**

2. In April of 2011, Doe #3 withdrew from the University for the semester, citing an extended medical leave of absence. When discussing with her academic advisor the reasons for her mid-semester withdrawal, Doe #3 admitted that she had been raped by a fellow USC student in January 2011. **Violation 2: Harm to Academic Performance**

3. Doe's advisor informed Doe #3 that she was obligated to report the incident to the administration. Doe #3 communicated to her advisor that she was fine with this. Despite the advisor's claim that she needed to report the incident, USC staff never got in further contact with Doe #3 about the assault. **Violation 4: Failure to Inform of Right to Investigation by School or Police; Violation 6: Failure to Provide an Adequate, Reliable and Impartial Investigation.**

4. Doe #3 returned during the summer semester in 2011, but was stricken by panic attacks and assault flashbacks. Due to these and the inaction on the University's part regarding the advisor's alleged report to the administration, Doe #3 opted to officially drop out of USC and transfer to a different institution. **Violation 2: Harm to Academic Performance; Violation 3.A: Discouragement of Reporting Because of People or Policies; Violation 11: Creation of Hostile Environment Through Failures to Investigate.**

WSA / SCAR / USC Survey Information

As part of the Take Back the Night events sponsored and hosted by the University's Women's Student Assembly (WSA), co-chaired by Kaya Masler and Taylor Markey, University students were encouraged to participate in a study authored by WSA member Mellissa Villafranco and SCAR co-chair Tucker Reed. The survey was comprised of approximately [#] questions regarding racial and gender-based discrimination, sexual assault prevention and campus resources, as well as question that specifically targeted student experience with both the Department of Public Safety and the Student Judicial Affairs and Community Standards offices.

The survey found that, of over 200 total number of respondents, nearly 45% of current students experienced some form of sexual violence while attending the University. Additionally, an overwhelming number of respondents did not have faith in the services offered by the Department of Public Safety (in fact, a significant percentage indicated they had been subject to some sort of negative experience with DPS), and as a result many respondents who were victim of a crime did not report that crime because of this lack of faith in DPS reliability.

The following ten Jane Doe survey submissions were selected at random to illustrate to the Department of Education the common complaints University students voiced in their survey submissions.

DOE COMPLAINANT #4 (Survey respondent ID 76.170.78.234):

Please evaluate the University's handling of issues in regards to sexual violence.

Very ineffective.

Have you experienced any form of sexual violence (harassment, unwanted touching, rape) during your time at USC?

Yes. Cat-calling, verbal harassment and/or intimidation, prolonged staring and unwanted, non-consensual touching.

What were the personal, social, and academic consequences of your incident?

I considered leaving USC.

DEPARTMENT OF PUBLIC SAFETY:

Based on your past experience with DPS officers would you feel comfortable approaching them to handle a safety issue or to report a crime?

Maybe.

Did you feel comfortable calling or contacting DPS, Center For Women and Men or any campus department or official to report the incident?

No.

If "No", please explain why you did not feel comfortable calling or contacting DPS or any other campus official.

Because no one clearly explained what rape was to me, so I wasn't sure if it was my fault and I didn't want to be embarrassed.

QUESTIONS ABOUT ASSAULT EDUCATION AND ASSAULT AWARENESS:

When you first arrived at USC, did you learn about USC's policy on rape and definitions of consent?

No.

When you first arrived at USC, did you learn about the resources available to survivors of sexual violence?

No.

Is there anything else you think it is important that we know, or anything else you'd like to share about your experience regarding the issue your safety experience at USC related or unrelated to the issues or racial profiling or sexual violence?

I have not and will not report my rape. After seeing what other people have gone through after reporting their rape makes me feel like it would just complicate my situation further and make me feel worse than I already do. In speaking with other male and female students, seeing the USC Hook-Ups [Facebook] page and the drama associated with it, and personally reflecting on the experience, I feel like I would not be accepted by other people. There is this stigma associated with being raped on this campus (She was drunk; She dressed too slutty; She was asking for a situation like that, etc.), and I mentally cannot handle that. I choose to keep my rape confidential, telling only close friends and family. I don't know how the school would have responded to my rape, but I was too scared to do so anyway.

DOE COMPLAINANT #5 (207.151.92.195):

Have you ever experienced any form of sexual violence (sexual harassment, unwanted physical attention, rape etc.) during your time at USC?

Yes. Cat-calling, verbal harassment and/or intimidation, prolonged staring; rape, as in sex without consent.

What were the personal, social, and academic consequences of your incident?

My grades suffered. **Violation 2: Harm to Academic Performance.**

CENTER FOR WOMEN AND MEN:

Please list any specific complaints about your experience with the Center for Women and Men.

In terms of reporting and how that relates to possible prosecution and a court date, it was confusing -- there wasn't a middle ground as far as I could tell (like either you prosecute, or you don't) and that wasn't emphasized to me really.

Please list any specific complaints about your experience with the Center for Women and Men.

Have a mandatory don't-plug-chicks-with-alcohol-and-then-consider-that-not-rape-class. For everyone ideally, but also for frats and sororities.

Personal stories are important. Is there anything else about your experience with racial profiling and/or sexual violence that you would like to share?

My particular rape didn't occur on campus or by a USC student -- but the health center and center for women and men were very supportive. I am generally a very proactive person, and also am comfortable speaking about my feelings and have supportive parents- for those who are not like that, however, I could see it being more difficult to reach out. I went in search of these organizations- maybe we need more exposure for those who aren't as proactive as I am.

UNIVERSITY EDUCATION, AWARENESS, PREVENTION:

When you first arrived at USC, did you learn the process for reporting an instance of sexual assault or harassment?

No.

When you first arrived at USC, did you learn about USC's policy on rape and definitions of consent? (USC defines consent as POSITIVE COOPERATION. Consent is informed,

knowing and voluntary. Consent is active, not passive. Silence, in and of itself, cannot be interpreted as consent. Consent is an ongoing process in any sexual interaction and may be withdrawn at any time and the presence of a dating relationship is not grounds for consent, in itself. Mental or physical incapacity [by alcohol or other drug use, unconsciousness or passed out] takes away the possibility of consent)?

No.

When you first arrived at USC, did you learn about the resources available to survivors of sexual violence?

No.

DOE COMPLAINANT #6 (Respondent ID 76.170.238.27):

Please evaluate USC's handling of the following issues in regards to the issue of SEXUAL VIOLENCE.

1. Campus safety efforts.

Very ineffective.

2. Available counseling services.

Very ineffective.

3. Current student education/awareness programs (including mental health, sexuality and safe sex, individual safety, etc.).

Very ineffective.

4. Rape deterrence, intervention, and prevention programs and workshops.

Very ineffective.

5. Rape response and crisis support services.

Very ineffective.

Have you ever experienced any form of sexual violence (sexual harassment, unwanted physical attention, rape etc.) during your time at USC?

Yes. Cat-calling, verbal harassment and intimidation, prolonged staring; unwanted, non-consensual touching; stalking or otherwise seriously attempting to avoid someone's presence for a prolonged state of time; attempted rape I escaped from.

DEPARTMENT OF PUBLIC SAFETY:

Based on your past experience with DPS officers would you feel comfortable approaching them to handle a safety issue or to report a crime?

No.

As a transfer student, when you first arrived at USC, did you learn the process for reporting an instance of sexual assault or harassment?

No.

When you first arrived at USC, did you learn about the resources available to survivors of sexual violence?

No.

When you first arrived at USC, did you learn about USC's policy on rape and definitions of consent?

No.

How could this information have been made more clear or reached you better as a first year or transfer student?

It could have been stated at all. Every incident I have seen regarding attempted or committed sexual assault at USC has been handled atrociously by ALL involved, students administrators and DPS alike. It is literally so bad that of the four women who live in my apartment (including myself), there was one weekend where in four separate incidents each one of us was preyed on by other students to varying degrees of "success". I don't think it matters whether or not the information is made clear because it is obviously completely ignored by the university, DPS, and the opinion of students--ESPECIALLY the greek community. Take for example three girls I care deeply about that attempted to handle sexual assault by turning to each of the three communities. The first turned to her friends in the greek community and elsewhere. She was mocked and VIOLENTLY manipulated into feeling as if she was the one at fault. Eventually she was completely abandoned by all of her friends for "causing drama". A second friend turned to DPS, who arrived to the scene and instead of attempting to pursue a potential rapist, decided to transport the girl because she was drunk, even though she was coherent. She was put on probation for being transported and the rapist walks free, making fun of her when he sees her. A third friend turned to the administration, and the idea of punishing the rapist was totally ignored. Instead, she was essentially forced to go to the counseling center by her RA. Of course everyone knows that the counseling center isn't allowed to make any suggestions for behavior, has incredibly long wait times, limits the session, and shares information even when promising not to. Of course everyone also knows that even when the counseling center is the best option for helping a friend, the promise of anonymous reporting is a complete flat-out lie. I have seen strong support systems crumble because Trojans Care for Trojans LIES about anonymous reporting. The end result is even LESS of a support system for the victim.

How might DPS improve upon their response to cases of sexual violence?

From what I have seen in the mishandling of other cases, the first thing DPS has to do is acknowledge that sexual violence is not only a problem at USC, but that it is the number one threat for female students. They will have to stop chasing down random community members demanding to know if they have warrants out against them, they will have to stop yelling at people to walk their bikes, and instead actually CARE AND PRIORITIZE this as an actual problem. Next, they will need to actually sensitize themselves to the problem. Since most men

can't do this, I strongly recommend sending female DPS officers to handle sexual crimes (and sucking it up and calling a female LAPD officer when one isn't available). The protocol will need to change drastically for how cases are handled--for example, if the victim is drunk she should not be written up and send to SJACS (as has happened to MANY people). The truth is though, DPS CANNOT improve their response because the university does not care about sexual violence or encourage disciplinary action against rapists. DPS doesn't need to round up the rapists because if they did, USC would refuse to punish them.

DOE COMPLAINANT #7 (128.125.227.8):

Please evaluate USC's handling of the following issues in regards to the issue of SEXUAL VIOLENCE. (Scale from Very Ineffective to Very Effective).

1. Campus safety efforts.

Ineffective.

2. Available counseling services.

Ineffective.

3. Current student education/awareness programs (including mental health, sexuality and safe sex, individual safety, etc.).

Ineffective.

4. Rape deterrence, intervention, and prevention programs and workshops.

Ineffective.

5. Rape response and crisis support services.

Ineffective.

Have you ever experienced any form of sexual violence (sexual harassment, unwanted physical attention, rape etc.) during your time at USC?

Yes. (Non-consensual touching.)

DEPARTMENT OF PUBLIC SAFETY:

Based on your past experience with DPS officers would you feel comfortable approaching them to handle a safety issue or to report a crime?

Probably not.

Did you feel comfortable calling or contacting DPS, Center for Women and Men or any campus department or official to report the incident?

No.

Did you feel comfortable calling or contacting DPS, Center for Women and Men or any campus department or official to report the incident?

This instance of unwanted touching (hugging, arm patting, petnames [*sic*]) came from an African-American male nurse working at the Health Center. At the time, I think that he was just being friendly and trying to make me comfortable since I was injured and needed help. However, in retrospect, I see now that I was feeling uncomfortable when he started telling me that more Asian girls have been dating black men, giving me unwarranted hugs, joking about how I could

take him home to my parents so he can show them that black men aren't terrible, etc. I don't think I knew that it could have been a type of harassment because when I think of sexual abuse/violence, this seems innocent in comparison but I still felt uncomfortable.

Personal stories are important. Is there anything else about your experience with racial profiling and/or sexual violence that you would like to share?

I think more women should be told that rape and violence aren't the only things that can be deemed as sexual abuse/assault. Anything that makes them uncomfortable can be deemed as an incident.

UNIVERSITY EDUCATION, AWARENESS, PREVENTION:

When you first arrived at USC, did you learn the process for reporting an instance of sexual assault or harassment?

No.

When you first arrived at USC, did you learn about USC's policy on rape and definitions of consent?

No.

When you first arrived at USC, did you learn about the resources available to survivors of sexual violence?

No.

DOE COMPLAINANT #8 (68.181.15.9)

Please evaluate USC's handling of the following issues in regards to the issue of SEXUAL VIOLENCE. (Scale from Very Ineffective to Very Effective).

1. Campus safety efforts.

Very Ineffective.

2. Available counseling services.

Ineffective.

3. Current student education/awareness programs (including mental health, sexuality and safe sex, individual safety, etc.).

Somewhat Ineffective.

4. Rape deterrence, intervention, and prevention programs and workshops.

Ineffective.

5. Rape response and crisis support services.

Ineffective.

Have you ever experienced any form of sexual violence (sexual harassment, unwanted physical attention, rape etc.) during your time at USC?

Yes. Cat-calling, verbal harassment and intimidation, prolonged staring; Unwanted, non-consensual touching.

Personal stories are important. Is there anything else about your experience with racial profiling and/or sexual violence that you would like to share?

I went to the resource center a few months ago with a suitemate to seek help after another suitemate had been gangraped by a group of athletes at a party we went to. We were given contact information for various organizations and authorities we could report it to. Listening to the person describe the reporting process to us seemed extremely complicated and time consuming and I feel that the handling of rape cases should be better refined so that the rape victims would not have to go through such extensive measures just to report the rape. The person we spoke to also emphasized that we should not proceed with anything unless the friend that was raped did it herself or agreed to us doing it for her. As a result, we did not report the rape and the perpetrators are still free to enjoy their lives as if nothing had happened. It's frustrating to see that these rapists are let free without any sort of punishment and knowing that they could very likely commit another rape on another unsuspecting girl.

DEPARTMENT OF PUBLIC SAFETY:

Upon reporting the incident were you ever provided with information on how to report complaints against any person or persons within DPS, SJACS, Center for Women and Men or any of the university departments handling your case?

No.

UNIVERSITY EDUCATION, AWARENESS, PREVENTION:

When you first arrived at USC, did you learn the process for reporting an instance of sexual assault or harassment?

No.

DOE COMPLAINANT #9 (207.151.77.87)

Please evaluate USC's handling of the following issues in regards to the issue of **SEXUAL VIOLENCE**. (Scale from Very Ineffective to Very Effective).

1. Campus safety efforts.

Somewhat Ineffective.

2. Available counseling services.

Ineffective.

3. Current student education/awareness programs (including mental health, sexuality and safe sex, individual safety, etc.).

Very Ineffective..

4. Rape deterrence, intervention, and prevention programs and workshops.

Very Ineffective.

5. Rape response and crisis support services.

Very Ineffective.

Have you ever experienced any form of sexual violence (sexual harassment, unwanted physical attention, rape etc.) during your time at USC?

Yes. Cat-calling, verbal harassment and intimidation, prolonged staring. Rape, or sex without consent; Other - Anal Rape; Unwanted Videotaping

UNIVERSITY EDUCATION, AWARENESS, PREVENTION:

When you first arrived at USC, did you learn the process for reporting an instance of sexual assault or harassment?

No.

When you first arrived at USC, did you learn about the resources available to survivors of sexual violence?

No.

DOE COMPLAINANT #10 (207.151.72.35)

Please evaluate USC's handling of the following issues in regards to the issue of **SEXUAL VIOLENCE**. (Scale from Very Ineffective to Very Effective).

1. Campus safety efforts.

Very Ineffective.

2. Available counseling services.

Very Ineffective.

3. Current student education/awareness programs (including mental health, sexuality and safe sex, individual safety, etc.).

Very Ineffective..

4. Rape deterrence, intervention, and prevention programs and workshops.

Very Ineffective.

5. Rape response and crisis support services.

Very Ineffective.

Have you ever experienced any form of sexual violence (sexual harassment, unwanted physical attention, rape etc.) during your time at USC?

Yes. Cat-calling, verbal harassment and intimidation, prolonged staring;

Unwanted, non-consensual touching ANYWHERE on your body.

DEPARTMENT OF PUBLIC SAFETY:

Did you feel comfortable calling or contacting DPS, Center for Women and Men or any campus department or official to report the incident?

No.

How might DPS improve upon their response to cases of sexual violence?

Well. To start off they could not be a perpetrator. I've been catcalled and the recipient of unwanted attention on more than one occasion by an officer / security guard.

UNIVERSITY EDUCATION, AWARENESS, PREVENTION:

When you first arrived at USC, did you learn the process for reporting an instance of sexual assault or harassment?

No.

When you first arrived at USC, did you learn about USC's policy on rape and definitions

of consent?

No.

When you first arrived at USC, did you learn about the resources available to survivors of sexual violence?

No.

How could this information have been made more clear or reached you better as a first year or transfer student?

I think the idiotic play put on at the start of the year is completely ridiculous and ineffective. There needs to be a COMPREHENSIVE seminar in which all students are required to attend that discusses rape culture and how to prevent AND handle a situation in which an assault occurs.

Yes. Cat-calling, verbal harassment and intimidation, prolonged staring;
Unwanted, non-consensual touching; Rape, or sex without consent.

DEPARTMENT OF PUBLIC SAFETY:

Did you feel comfortable calling or contacting DPS, Center for Women and Men or any campus department or official to report the incident?

No.

If "No", please explain why you did not feel comfortable calling or contacting DPS or any other campus official.

Because of trauma/denial and what I feel is a silencing and victim blaming culture, I did not fully understand what had happened to me until a year following the incident. It took me several more months to feel comfortable talking openly about it. At that time, I had already heard other stories of DPS and/or USC administrators mishandling cases of sexual violence. I was also very aware of a predominantly misogynistic climate on this campus - where the very fraternities where I was frequently harassed, grabbed and touched inappropriately were celebrated and supported by the administration, where students and faculty regularly made sexist comments, where sexual violence was NEVER EVER discussed officially by an administrative body, where friends who had been assaulted had been laughed at and ridiculed. My case is full of all of the excuses that official bodies use to not prosecute rape. I willingly left a party with my rapist. I was dressed in skimpy clothes. I was drunk. I originally had consensual sex with him. Later, I was not feeling well and fell asleep - I woke up to someone having sex with me against my will (rape). He didn't use a condom and I was bleeding for days. But I assume an investigation would determine that we just "got a little rough" and that (and this has already been suggested by people in response to me sharing a few details about my story in an op-ed I published online) I was having regrets about having unprotected sex. In short, I did not feel like this was a climate in which I would be respected as a rational human being. I chose instead to channel my efforts into making positive change for sexual violence victims on campus, of which I hope this survey can be part.

UNIVERSITY EDUCATION, AWARENESS, PREVENTION:

When you first arrived at USC, did you learn the process for reporting an instance of

sexual assault or harassment?

No.

When you first arrived at USC, did you learn about USC's policy on rape and definitions of consent?

No

When you first arrived at USC, did you learn about the resources available to survivors of sexual violence?

No.

DOE COMPLAINANT #12 (204.140.141.57)

Please evaluate USC's handling of the following issues in regards to the issue of SEXUAL VIOLENCE. (Scale from Very Ineffective to Very Effective).

1. Campus safety efforts.

Somewhat Ineffective.

2. Available counseling services.

Ineffective.

3. Current student education/awareness programs (including mental health, sexuality and safe sex, individual safety, etc.).

Very Ineffective..

4. Rape deterrence, intervention, and prevention programs and workshops.

Somewhat Ineffective.

5. Rape response and crisis support services.

Ineffective.

Have you ever experienced any form of sexual violence (sexual harassment, unwanted physical attention, rape etc.) during your time at USC?

Yes. Cat-calling, verbal harassment and intimidation, prolonged staring; Unwanted, non-consensual touching; Stalking; or, otherwise seriously attempting to avoid someones presence for a prolonged state of time; Rape, or sex without consent.

DEPARTMENT OF PUBLIC SAFETY:

Did you feel comfortable calling or contacting DPS, Center for Women and Men or any campus department or official to report the incident?

No.

If "No", please explain why you did not feel comfortable calling or contacting DPS or any other campus official.

I was drunk when the incident took place so for quite some time I felt as if it was my fault and I didn't know the name of the boy I was with. Also I was afraid that my family would somehow find out and they were going through a rough period with both of my grandmothers passing away in a short span of time so they didn't need any more stress.

Is there anything else you think it is important that we know, or anything else you'd like

to share about your experience regarding the issue your safety experience at USC related or unrelated to the issues or racial profiling or sexual violence?

DPS needs to crack down on rape on the row. That's where my situation started.

UNIVERSITY EDUCATION, AWARENESS, PREVENTION:

When you first arrived at USC, did you learn about the resources available to survivors of sexual violence?

No.

DOE COMPLAINANT #13 (204.140.152.201)

Please evaluate USC's handling of the following issues in regards to the issue of **SEXUAL VIOLENCE**. (Scale from Very Ineffective to Very Effective).

1. Campus safety efforts.

Very Ineffective.

2. Available counseling services.

Very Ineffective.

3. Current student education/awareness programs (including mental health, sexuality and safe sex, individual safety, etc.).

Very Ineffective.

4. Rape deterrence, intervention, and prevention programs and workshops.

Very Ineffective.

5. Rape response and crisis support services.

Very Ineffective.

Have you ever experienced any form of sexual violence (sexual harassment, unwanted physical attention, rape etc.) during your time at USC?

Yes. (Cat-calling, verbal harassment and intimidation, prolonged staring; Rape, or sex without consent.)

DEPARTMENT OF PUBLIC SAFETY:

Did you feel comfortable calling or contacting DPS, Center for Women and Men or any campus department or official to report the incident?

No.

If "No", please explain why you did not feel comfortable calling or contacting DPS or any other campus official.

Officers stand and watch wasted girls stumble out of frat houses all the time. They're trained to be silent and allow misconduct to carry on.

UNIVERSITY EDUCATION, AWARENESS, PREVENTION:

When you first arrived at USC, did you learn about USC's policy on rape and definitions of consent?

No.

When you first arrived at USC, did you learn about the resources available to survivors of sexual violence?

No.

Is there anything else you think it is important that we know, or anything else you'd like to share about your experience regarding the issue your safety experience at USC related or unrelated to the issues or racial profiling or sexual violence?

When I was a freshman, I didn't attend the "mandatory" meeting on drinking and rape. I wasn't held accountable for not attending, my registration was not withheld, nor did I receive any kind of discipline for not complying with this school requirement. To me, that shows how little USC cares about educating its men and women about sexual violence and rape. What makes this even more disturbing is that administration KNOWS how out of control fraternities are - yet they don't care to reach out to this sub-group of our community that creates, encourages, and justifies a dangerous environment in which USC men and women can be sexually assaulted and raped. It is the school's responsibility to address the out-of-control drinking, the blatant objectification and disrespect for USC women.

DOE COMPLAINANT #14 (96.40.189.236)

Please evaluate USC's handling of the following issues in regards to the issue of **SEXUAL VIOLENCE**. (Scale from Very Ineffective to Very Effective).

1. Campus safety efforts.

Somewhat Ineffective.

2. Available counseling services.

Ineffective.

3. Current student education/awareness programs (including mental health, sexuality and safe sex, individual safety, etc.).

Very Ineffective.

4. Rape deterrence, intervention, and prevention programs and workshops.

Very Ineffective.

5. Rape response and crisis support services.

Somewhat Ineffective.

Have you ever experienced any form of sexual violence (sexual harassment, unwanted physical attention, rape etc.) during your time at USC?

Yes. Cat-calling, verbal harassment and intimidation, prolonged staring;

Unwanted non-consensual touching ANYWHERE on your body; Rape, or sex without consent.

DEPARTMENT OF PUBLIC SAFETY:

Did you feel comfortable calling or contacting DPS, Center for Women and Men or any campus department or official to report the incident?

No.

If "No", please explain why you did not feel comfortable calling or contacting DPS or any other campus official.

I did not think I would be taken seriously by DPS, and because I was drunk during the rape, I did not believe that I had any rights at the time.

UNIVERSITY EDUCATION, AWARENESS, PREVENTION:

When you first arrived at USC, did you learn the process for reporting an instance of sexual assault or harassment?

No.

When you first arrived at USC, did you learn about USC's policy on rape and definitions of consent?

No.

When you first arrived at USC, did you learn about the resources available to survivors of sexual violence?

No.

Is there anything else you think it is important that we know, or anything else you'd like to share about your experience regarding the issue your safety experience at USC related or unrelated to the issues or racial profiling or sexual violence?

I was not informed that USC had any activities or events during Welcome Week concerning the issues of rape and sexual assault; such events, however 'downer,' could be better advertised and encouraged for new college students because these are issues that affect most, if not all, of them. Often, young people entering college have not learned much about consent and rape, so they don't know how to deal with it and who to assign blame to, not to mention whether or not to receive help or how to give help to friends who experience such issues. I would advise better advertising and promoting of the event, if anything -- in all reality, though, I advocate mandatory courses concerning consent, rape, and sexual assault for all incoming freshmen and transfers, not to mention supplementary courses for all new Greek members. AlcoholEdu and GreekLifeEdu have done nothing to prevent rape or sexual assault from happening to USC students. It's time for the university to actually take preventative action to protect its students before its name.

DOE COMPLAINANT #15 (128.125.208.35)

Please evaluate USC's handling of the following issues in regards to the issue of **SEXUAL VIOLENCE**. (Scale from Very Ineffective to Very Effective).

1. Campus safety efforts.

Somewhat Ineffective.

2. Available counseling services.

Very Ineffective.

3. Current student education/awareness programs (including mental health, sexuality and safe sex, individual safety, etc.).

Very Ineffective.

4. Rape deterrence, intervention, and prevention programs and workshops.

Very Ineffective.

5. Rape response and crisis support services.

Very Ineffective.

Have you ever experienced any form of sexual violence (sexual harassment, unwanted physical attention, rape etc.) during your time at USC?

Yes, unwanted, non-consensual touching.

Personal stories are important. Is there anything else about your experience with racial profiling and/or sexual violence that you would like to share?

This guy coerced me to take more shots so I was so drunk I blacked out and then he held my head in place so I would make out with him, took me back to his room even though I could barely walk, and then tried to have sex with me, but I said no. He took my shirt off even though I didn't want that. I don't remember anything else, but from what I was told, he left me there, alone, when I started throwing up. This guy was apparently known in his fraternity for calling women derogatory things while drunk and for kicking girls out of his room if they wouldn't have sex with him, even if they were too drunk to be left alone (aka, even if the girl started puking in my room). Why was this guy allowed to do these things repeatedly??? Why did all of his fraternity brothers protect him? **Violation 1.A: Hostile Environment: Sexual misconduct**

DEPARTMENT OF PUBLIC SAFETY:

Based on your past experience with DPS officers would you feel comfortable approaching them to handle a safety issue or to report a crime?

Probably not.

Did you feel comfortable calling or contacting DPS, Center for Women and Men or any campus department or official to report the incident?

No.

If "No", please explain why you did not feel comfortable calling or contacting DPS or any other campus official.

It happened in a fraternity, and the fraternity brothers did not help me at all, and no one tried to stop the perpetrator. No one talked to me afterwards about the incident, either, and so I felt like even if I did report it, all of his fraternity brothers would cover up the incident for him.

UNIVERSITY EDUCATION, AWARENESS, PREVENTION:

When you first arrived at USC, did you learn the process for reporting an instance of sexual assault or harassment?

No.

When you first arrived at USC, did you learn about USC's policy on rape and definitions of consent?

No.

When you first arrived at USC, did you learn about the resources available to survivors of sexual violence?

No.

Is there anything else you think it is important that we know, or anything else you'd like to share about your experience regarding the issue your safety experience at USC related or unrelated to the issues or racial profiling or sexual violence?

Why has there not been an official response from Nikias about the recent racial profiling or Tucker Reed's rape case/ the articles she wrote? We get e-mails written by him about being safe at the fountain run and about going to the Festival of Books, but no one says *anything* about these events?

DOE COMPLAINANT #16 (76.170.238.67)

Please evaluate USC's handling of the following issues in regards to the issue of SEXUAL VIOLENCE. (Scale from Very Ineffective to Very Effective).

1. Campus safety efforts.

Very Ineffective.

2. Available counseling services.

Ineffective.

3. Current student education/awareness programs (including mental health, sexuality and safe sex, individual safety, etc.).

Somewhat Ineffective.

4. Rape deterrence, intervention, and prevention programs and workshops.

Somewhat Ineffective.

5. Rape response and crisis support services.

Very Ineffective.

Have you ever experienced any form of sexual violence (sexual harassment, unwanted physical attention, rape etc.) during your time at USC?

Yes. (Cat-calling, verbal harassment and intimidation, prolonged staring; Unwanted, non-consensual touching ANYWHERE on your body).

What were the personal, social, and academic consequences of your incident?

I lost friends.

Personal stories are important. Is there anything else about your experience with racial profiling and/or sexual violence that you would like to share?

I have been to predominantly [*sic*] white "Row" parties and seen more abuse of alcohol, more violation of women's bodies, been dragged into a room with a male who I still do not know while blacked-out, and yet have never seen any negative consequence, have never seen LAPD come storming in with unnecessary force. I have not received my Clery Act emails informing me of the rape of a student by a member of Sig Ep. Meanwhile, I have been to small and large parties hosted and attended by students of color, where no serious violations were committed other than PWC (partying while colored). Yet, these parties have been broken up by LAPD, not DPS, and all too frequently with exorbitantly large numbers of police officers. It's obvious, despicable and begs me to ask who the Trojan family is- the white Trojans? the rich Trojans? or is it all of us?

DEPARTMENT OF PUBLIC SAFETY:

Did you feel comfortable calling or contacting DPS, Center for Women and Men or any campus department or official to report the incident?

No.

If "No", please explain why you did not feel comfortable calling or contacting DPS or any other campus official.

I did not feel anything would be accomplished. Events were not "severe" enough, and would have caused more trouble for myself than I needed. USC does not make it easy, or comfortable.

IV CONCLUSION

“This Trojan family home I chose to give four years of my life to should have treated me as a daughter. It should have reached out to wipe my tears. Even if they were caused by its son. A high SAT score and an articulate essay do nothing to prove the morality of a human being; we are not all good people here, just by merit of being Trojans. My family lied to me.”

Equal opportunity in higher education requires equal access, equal respect and equal freedom. When complaints regarding all forms of sexual assault, abuse and harassment are routinely discouraged, dismissed, disbelieved and otherwise treated as part of the “educative process,” the classes of students subject to such assault and abuse are limited in their opportunities and freedom to succeed and excel.

The complainants herein respectfully ask the Department of Education to fulfill its mandate to ensure equal opportunity in higher education and hold USC responsible for its violations of Title IX of the Education Amendments of 1972, Title VII of the Civil Rights Act of 1964, Title II of the Americans with Disabilities Act, the 2010, 2011 and 2013 “Dear Colleague” letters, and the Campus Sexual Assault Victims’ Bill of Rights, The Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act, Family Educational Rights and Privacy Act (FERPA).

Respectfully submitted,

Aisling Tucker Moore Reed

By and on behalf of the complainants herein