



UNITED STATES DEPARTMENT OF EDUCATION
REGION 1
JOHN W. MCCORMACK POST OFFICE AND COURTHOUSE, ROOM 222
POST OFFICE SQUARE
BOSTON, MASSACHUSETTS 02109

AUG 02 2001

OFFICE FOR
CIVIL RIGHTS

Dr. Joseph G. Morone
President
Bentley College
175 Forest Street
Waltham, Massachusetts 02452-4705

RE: Compliance Review No. 01-00-6004

Dear Dr. Morone:

I am writing to inform you that the U.S. Department of Education, Office for Civil Rights (OCR) has completed the investigation stage of its compliance review of Bentley College (College) pursuant to Title IX of the Education Amendments of 1972 (Title IX). On August 23, 2000, OCR advised you that we would be initiating this review focussing on the following three issues: (1) the College's response to sexual harassment complaints, (2) what actions the College takes to prevent harassment on campus, and (3) whether a campus environment exists that is hostile to students based on their sex.

Overall, our review revealed that the College has taken impressive steps to prevent and respond to complaints of sexual harassment. However, during the review members of my staff shared several concerns with the College's representatives. On May 29, 2001, we received your commitment letter outlining the actions the College will take and has already taken to address the concerns OCR found during our review of these issues. This letter briefly summarizes the process that led to this commitment and outlines future monitoring actions.

The review was conducted pursuant to Title IX, which prohibits discrimination on the basis of sex in any program or activity that receives Federal financial assistance from the U.S. Department of Education. As a recipient of Federal financial assistance, the College is subject to the requirements of Title IX and its implementing regulations.

On September 14, 2000, OCR staff met with College representatives and discussed, in detail, the review process. As we explained, compliance reviews can range from traditional comprehensive investigations with formal findings, to a collaborative approach in which OCR works with the college to achieve voluntary resolution. Demonstrating your willingness to proactively address this issue and in keeping with the collaborative approach, you appointed a team of administrators to work with OCR. The on-site activities were scheduled from October 10 - 26, 2000. OCR interviewed a number of staff, faculty and administrators, met with student representatives of the Multicultural Center, Students for the Advancement of Women, BACCHUS, PRIDE, Pan

Hellenic Council, as well as focus groups of Resident Assistants and Directors, and graduate students and five academic classes. In addition, OCR reviewed materials submitted by the College and reviewed grievance case files for the 1999-2000 school year.

OCR met with the Bentley team again on December 14, 2000, to discuss the information and impressions gathered during OCR's on-site visits.

In the area of policies and procedures, OCR found that:

- Policies and procedures dealing with sexual harassment are published in the Student Handbook.
- Notices are posted in all the restrooms.
- Sexual harassment information is readily available.
- Bentley College coordinates efforts to insure that there is awareness in the community about how sexual harassment issues are addressed.
- When there are complaints, there is an efficient, swift, consistent, and severe response. Bentley seems to have a "zero tolerance" for inappropriate behavior. Confidentiality is maintained. Student Affairs is very supportive. Protection is provided for the victim. Cases are triaged; there is medical and psychological support and safety measures are taken to protect the person.
- Bentley College does a remarkable job on policies and procedures. In fact Bentley is a model for other schools and you are to be commended in this area.
- The Student Handbook is available on-line.

In the area of prevention efforts, OCR found that:

- Bentley College has the most comprehensive systems OCR has seen in an academic setting.
- OCR found no cultural issues with international students.
- Weekend Briefings – another exemplary program. The most significant factor is that the briefings allow Bentley to catch students who are at risk.
- Incidents of sexual harassment, which are reported, are consistently addressed through the judicial system and the judicial system seems to work.
- Bentley's Alcohol and Other Drug Counselor is another asset for the school.

OCR also reported several concerns arising from the review: (A.) A hostile environment in and around the residential halls, (B.) Under reporting of incidents of sexual harassment, (C.) Physical access to student health services. Continuing in the spirit of collaboration, OCR engaged the College in discussion and negotiations around these environmental issues.

On March 23, 2001, the College proposed a set of goals, time lines, and person(s) accountable, to address the concerns raised by OCR. These were discussed in a meeting with OCR on May 29, 2001 and finalized in a letter of commitment from the College on the same day. A copy of this letter is enclosed.

OCR will monitor the College's implementation of the commitment by asking the College for periodic informal updates. We hope to learn from the College's efforts and to provide assistance, if and when needed. We look forward to the continued collaborative and informative working relationship between OCR and the College.

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

We want to thank you and your staff, especially Barbara Addison Reid, for the commitment they brought to the collaborative review. We wish the College every success in implementing the letter of commitment. Should you have any questions or comments, please contact me at (617) 223-9667 or Donna L. Russell, Team Leader/Civil Rights Attorney, at (617) 223-9701.

Sincerely,

A handwritten signature in cursive script that reads "Thomas J. Hibino".

Thomas J. Hibino
Director

Enclosure