

**Voluntary Resolution Agreement
Yale University (University)
Complaint No. 01-11-2027**

The U.S. Department of Education, Office for Civil Rights (OCR), initiated an investigation of the above-referenced complaint under Title IX of the Education Amendments of 1972 and its implementing regulation at 34 C.F.R. Part 106 (Title IX). Prior to and during the course of the investigation, the University implemented a number of policies, procedures and practices to improve its response to sexual misconduct complaints, ensure compliance with Title IX and its implementing regulation and to resolve the issues of the complaint. OCR has not made a finding of noncompliance and this Resolution Agreement has been entered into voluntarily by the University and does not constitute an admission that the University is not in compliance with Title IX and/or its implementing regulation. Accordingly, the University voluntarily agrees to the following to assure that it has an environment and culture in which all students feel safe and well supported, and that it responds promptly and effectively to incidents of sexual harassment and violence (hereinafter referred to as sexual misconduct), in a manner designed to remedy the effects of such misconduct if should occur, and prevent recurrence, consistent with the requirements of Title IX:

A. Title IX Coordinator

1. The University has designated a University-wide Title IX Coordinator (the University Title IX Coordinator) and deputy coordinators to ensure compliance with Title IX.
2. The University has widely published in print and on-line, and will continue to do on an annual basis, the name, email, and telephone contact information, and duties of the University Title IX Coordinator and deputy coordinators.
3. The University Title IX Coordinator's responsibilities include the following:
 - a. Ensuring coordination with the deputy coordinators and appropriate student services offices on campus (e.g. housing, Residential College Deans and Masters who are responsible for housing and academic matters, health, counseling services, and the Yale Police Department [YPD]). The coordination is for such purposes as tracking trends on campus and addressing any patterns or systemic problems; assessing the overall efficacy of the coordination among these various services; and soliciting feedback on the efficacy of the overall response to sexual misconduct.
 - b. Providing information to individuals regarding their Title IX rights, the University's formal and informal grievance processes, the availability of interim measures during an investigation of a grievance, and the ability to file a complaint with YPD.
 - c. Conducting a semiannual review of all formal and informal Title IX complaints brought to the University Title IX Coordinator and deputy Title IX coordinators, before the University-Wide Committee on Sexual

Misconduct, any other grievance procedures, and/or independently investigated by the University in order to identify and address any patterns or systemic problems.

- d. Communicating with YPD regarding the University's obligations under Title IX and serving as a resource on Title IX issues. The University Title IX Coordinator and YPD have developed a protocol regarding complaints of sexual misconduct that calls for YPD to:
 - i. notify complainants in criminal cases of their right to file a Title IX complaint with the University in addition to pursuing a criminal process;
 - ii. provide complainants with written information describing the University's Sexual Harassment and Assault Response and Education Center, the University-Wide Committee on Sexual Misconduct, and the Title IX Coordinators;
 - iii. provide the University Title IX Coordinator with synopses of sexual misconduct complaints; and
 - iv. provide the University Title IX Coordinator with access to YPD records of its investigation and findings regarding Title IX investigations, so long as it does not significantly compromise any pending criminal proceeding.
- e. Periodically assessing the efficacy of the University's overall Title IX compliance efforts.
- f. The University Title IX Coordinator and deputies will not have other responsibilities that create a conflict of interest.

B. Grievance Procedures Addressing Sexual Misconduct

1. The University has formed the University-Wide Committee on Sexual Misconduct (UWC) as its primary mechanism to promptly and equitably respond to complaints of sexual misconduct under Title IX both informally and formally. As such, the UWC is an accessible, representative, and trained body to address informal and formal complaints of sexual misconduct under Title IX. The present UWC's procedures entitled *Procedures Governing the University Wide Committee on Sexual Misconduct* meet the criteria in items 2(a) through (l) below, and explain the difference between the UWC's informal and formal processes. The University has launched, and will continue to widely publicize on an annual basis, a website specific to the UWC to raise awareness about its function and availability.
2. If the University creates a new Title IX grievance process, the University will ensure it, as does the present UWC process, affords the following:
 - a. Broad notice to the University community of the procedures applicable to a complaint of sexual misconduct;
 - b. Applicability of the process to student and third party complainants;

- c. If informal process(es) are available, the option for complainants to bypass an informal process for a formal process at any point, per the complainants' discretion.
 - d. No complainant will be required to have face-to-face interaction with an alleged perpetrator in any informal resolution or mediation involving a complaint of sexual assault;
 - e. Designated timeframes for major stages of the process;
 - f. Adequate, prompt and impartial investigations of allegations of sexual misconduct including:
 - i. Not delaying the University's investigation of possible sexual misconduct under Title IX until related criminal processes are concluded; and
 - ii. Equitable information gathering from both the complainant(s) and the alleged perpetrator(s);
 - g. Use of the preponderance of evidence standard in determining whether sexual misconduct occurred;
 - h. Availability of interim measures to protect the parties during the University's investigation of possible sexual misconduct. Such interim measures should not disproportionately impact the complainant(s).
 - i. Assurances that the University will take steps to stop any sexual misconduct if found, prevent its recurrence and remedy its effects on those impacted;
 - j. Assurances that retaliation is prohibited and that retaliation will be handled promptly and equitably if it occurs;
 - k. Notice in writing to the relevant parties regarding the outcome of the process including whether sexual misconduct was found and a description of the University's response; and
 - l. Equitable rights to both parties throughout the process, including the right to appeal, if applicable.
3. The UWC is charged with enforcing the University's Undergraduate Regulations relating to sexual misconduct. The University is committed to strengthening students' understanding, through education and enforcement, that they are subject to the Undergraduate Regulations both on and off campus. The University has revised and expanded its definition of sexual misconduct and its definition of hazing in its Undergraduate Regulations.

C. Training

1. The University has conducted and will continue to hold annual training for all Title IX Coordinators and UWC members on: the University's obligations under Title IX; its regulations regarding sexual misconduct; relevant resources available on campus; the UWC's procedures, including accepting, processing and investigating complaints of sexual misconduct; interacting with victims of sexual misconduct; gathering relevant evidence and assessing it in the Title IX context; the importance of confidentiality, fair process, impartiality, and applicable legal

standards; safety considerations when determining interim measures and disciplinary sanctions; and other topics it deems relevant.

2. The University will conduct annual training for relevant YPD officers on: interacting with victims of sexual misconduct, the resources available on campus, and the protocol for referring students to the Sexual Harassment and Assault Response and Education Center, and for reporting and referring information and complainants to the University Title IX Coordinator and/or the UWC, and other topics it deems relevant.
3. The University has conducted and will continue to hold annual training for Residential College Deans and Masters, Sexual Harassment and Assault Response and Education Center staff, and Freshmen Counselors on: interacting with victims of sexual misconduct, the Undergraduate Regulations regarding sexual misconduct, resources on campus, the UWC, reporting requirements and other topics it deems relevant.
4. The University has conducted and will continue to hold annual training for freshmen students on: the Undergraduate Regulations regarding sexual misconduct, resources on campus, the UWC, reporting requirements and other topics it deems relevant such as bystander intervention. The University will hold trainings for sophomore students, including on bystander intervention and will re-affirm the topics presented to freshman students.
5. The University has conducted and will continue to hold annual training for leaders of registered student groups and varsity teams on the critical role student organizations play in creating and maintaining a safe learning and living environment at the University. The training will continue to include information on the University's alcohol and hazing policies and the Undergraduate Regulations including those related to sexual misconduct, resources on campus, and other topics it deems relevant.
6. The University commits to train other populations and/or shift the focus of trainings as identified through applicable assessments and analyses discussed throughout the Agreement.

D. Sexual Harassment and Assault Response and Education Center

The University's Sexual Harassment and Assault Response and Education Center (SHARE) serves as the initial place of referral for students seeking services and options as the result of sexual misconduct (e.g. access to the University Title IX Coordinator and/or deputies, YPD and/or the UWC). The University has committed to ensure that SHARE has adequate resources to provide services to students, such as its 24/7 'on-call' counselors, and has taken actions to raise the awareness of SHARE's functions and availability through a comprehensive website.

E. University-wide Climate Assessment

The University, throughout the monitoring of this Agreement, will conduct periodic assessments (at least annually) of campus climate with regard to gender discrimination, sexual misconduct and Title IX, seeking input from students and student groups, including women's groups, as well as a wide variety of other sources. The University will consider such assessments in identifying future actions to ensure that it maintains an environment that is safe and supportive to all students and in compliance with Title IX.

F. Miscellaneous

1. The University will continue to implement actions intended to improve observance of appropriate behavioral norms by campus organizations and at organized student events. In particular:
 - a. The University will continue its educational efforts to promote responsible drinking;
 - b. The University will continue its efforts to expand its student leadership councils to promote norms of responsible conduct, and including efforts to create a council of fraternity and sorority leaders; and
 - c. The University will continue to study and address issues related to hazing and initiations by student organizations.
2. Throughout the monitoring of this Agreement, the University agrees to maintain all records of informal and formal complaints, consistent with the UWC's procedures, and all retained records and actions taken in response to complaints brought to the University and deputy Title IX Coordinators.

G. Reporting to OCR

1. By September 15, 2012, and again by September 15, 2013 and May 31, 2014, the University will report to OCR on its efforts to implement:
 - a. Section A of the Agreement through providing documentation such as: notification to the community regarding the designated Title IX Coordinators; reports on the outcome of the Title IX Coordinator's review of all informal and formal complaints of sexual misconduct; reports on the coordination between the Title IX Coordinator and YPD; and the results of the Title IX Coordinator's assessment of trends, patterns, and the efficacy of the University's Title IX compliance.
 - b. Section B of the Agreement including: notifications to the community regarding the University's Title IX grievance procedure(s); any changes made to the University's primary mechanism to address students' Title IX

