



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS
32 OLD SLIP, 26TH FLOOR
NEW YORK, NEW YORK 10005

TIMOTHY C. J. BLANCHARD
DIRECTOR
NEW YORK OFFICE

August 24, 2011

Diane L. Rosenfeld
Harvard Law School
Austin Hall 215
1563 Massachusetts Ave.
Cambridge, Massachusetts 02138

Re: Case No. 02-11-2167
Princeton University

Dear Ms. Rosenfeld:

On (b)(6),(b)(7)(C), the U.S. Department of Education, New York Office for Civil Rights (OCR) received the above-referenced complaint you filed against Princeton University. You alleged that the University discriminated against your client (the Student) on the basis of her sex, by failing to respond appropriately to the complaint of sexual assault the Student made on or about (b)(6),(b)(7)(C) (Allegation 1). Additionally, you alleged that the University discriminates on the basis of sex, by failing to adopt and publish grievance procedures that provide for the prompt and equitable resolution of student complaints of sex discrimination/harassment, including sexual assault (Allegation 2). Based on information you provided in your complaint, OCR has determined that it will investigate Allegation 1. However, OCR has determined that it will not investigate Allegation 2 for the reason set forth below.

With respect to Allegation 2, OCR has determined that this allegation is currently being addressed in the investigation of another complaint filed with OCR (Case No. 02-11-2025). Accordingly, OCR will take no further action regarding Allegation 2 in connection with the instant complaint, Case No. 02-11-2167.

OCR is responsible for enforcing Title IX of the Education Amendments of 1972 (Title IX), as amended, 20 U.S.C. § 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in programs and activities receiving financial assistance from the U.S. Department of Education (the Department). The University is a recipient of financial assistance from the Department. Therefore, OCR has jurisdictional authority to investigate this complaint under Title IX.

Because OCR has determined that it has jurisdiction and that the complaint was filed in a timely manner, it is opening Allegation 1 for investigation. Please note that opening the allegation for investigation in no way implies that OCR has made a determination with regard to the merits. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence

from the complainant, the recipient, and other sources, as appropriate. OCR will ensure that its investigation is legally sufficient and is dispositive of the allegation, in accordance with the provisions of Article III of OCR's *Case Processing Manual*.

OCR's goal is the prompt and appropriate resolution of the allegations contained in a complaint. OCR offers, when appropriate, an Early Complaint Resolution (ECR) process, similar to mediation, to facilitate the voluntary resolution of complaints by providing an early opportunity for the parties involved to resolve the allegation(s). Some information about the ECR process is contained in the publication entitled, "OCR Complaint Processing Procedures", which was enclosed with OCR's previous letter to you acknowledging your complaint. This information is also on OCR's website at <http://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.html#II>.

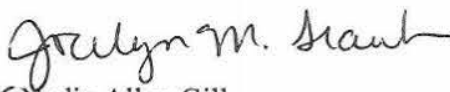
Also, when appropriate, a complaint may be resolved before the conclusion of an investigation after the recipient expresses an interest to OCR to resolve the complaint. In such cases, OCR obtains a resolution agreement signed by the recipient. This agreement must be aligned with the complaint allegations or the information obtained during the investigation, and it must be consistent with applicable regulations. Additional information about this voluntary resolution process may be found in the publication "OCR Complaint Processing Procedures", which was enclosed with OCR's previous letter to you, acknowledging your complaint. This information is also on OCR's website at <http://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.html#III>.

It is unlawful to harass or intimidate an individual who has filed a complaint or participated in actions to secure protected rights. If this should occur, you may file a separate complaint with OCR alleging such harassment or intimidation.

Under the Freedom of Information Act, 5 U.S.C. § 552, it may be necessary to release this letter and related correspondence and records upon request. In the event that OCR receives such a request, it will seek to protect, to the extent provided by law, personally identifiable information that if released, could constitute an unwarranted invasion of personal privacy.

OCR staff will communicate with you periodically regarding the status of your complaint. If you are interested in resolving your complaint through OCR's ECR process or have any questions, please contact Stacy L. Bobbitt, Compliance Team Investigator, at (646) 428-3823 or stacy.bobbitt@ed.gov; Jocelyn Frank, Compliance Team Attorney, at (646) 428-3796 or jocelyn.frank@ed.gov; or David Hensel, Compliance Team Attorney, at (646) 428-3778 or david.hensel@ed.gov.

Sincerely,


for Nadja Allen Gill
Compliance Team Leader