



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS, REGION II

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NEW JERSEY
NEW YORK
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July 26, 2017

Christopher L. Eisgruber
President
Princeton University
Office of the President
1 Nassau Hall
Princeton, New Jersey 08544

Re: Case No. 02-15-2412
Princeton University

Dear President Eisgruber:

On September 30, 2015, the U.S. Department of Education, Office for Civil Rights (OCR) notified you that it would investigate the above-referenced complaint filed against Princeton University. The complainant alleged that the University discriminated against him, on the basis of his sex, by failing to promptly and equitably respond to a complaint of sexual assault that he filed with the University on XXXX (Allegation 1). The complainant further alleged that the University discriminated against him, on the basis of his national origin XXXX, by failing to permit him an equal opportunity to clarify evidence he submitted during the Title IX investigation/hearing process (Allegation 2). Additionally, the complainant alleged that the University retaliated against him for filing complaints against University officials regarding their handling of his complaint of sexual assault, by (a) preventing him from attending the University's XXXX programs and activities during XXXX; and, (b) expelling him from the University on XXXX (Allegation 3). The complainant also alleged that the University discriminated against him, on the basis of his disabilities, by failing to provide him with academic adjustments for two mid-term exams in XXXX (Allegation 4).

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). OCR also is responsible for enforcing Title VI of the Civil Rights Act of 1964 (Title VI), as amended, 42 U.S.C. §2000d *et seq.*, and its implementing regulation at 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color or national origin in programs and activities receiving financial assistance from the Department. Additionally, OCR is responsible for enforcing Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104, which prohibit discrimination on the basis of disability in programs and activities receiving financial assistance from 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, Title VI, and Section 504.

The regulation implementing Title IX, at 34 C.F.R. § 106.71, incorporates by reference 34 C.F.R. § 100.7(e) of the regulation implementing Title VI, which provides that no recipient or other person shall intimidate, threaten, coerce or discriminate against any individual for the purpose of interfering with any right or privilege secured by regulations enforced by OCR or because one has made a complaint, testified, assisted or participated in any manner in an investigation, proceeding or hearing held in connection with a complaint.

During the course of OCR's investigation, on XXXX, the complainant informed OCR that he would be filing a federal lawsuit against the University in United States District Court, and provided OCR with a copy of the complaint. OCR confirmed that on XXXX, the complainant's federal complaint was filed in the United States District Court, District of New Jersey. OCR determined that the federal complaint contains the same allegations that the complainant raised in the above-referenced complaint that OCR accepted for investigation.

Pursuant to OCR's case processing procedures, OCR will close a complaint when the complainant has filed the same allegations against the same recipient with a federal court. Accordingly, OCR will take no further action regarding the complaint, and has dismissed it as of the date of this letter. The complainant may re-file the allegations with OCR within 60 days of the date of the termination of the court proceeding if there has been no decision on the merits or settlement of the complaint allegations.¹

This letter sets forth OCR's determination in an individual OCR case. This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public.

Please be advised that the University may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the individual may file a complaint alleging such treatment.

Under the Freedom of Information Act, it may be necessary to release this document 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 reasonably be expected to constitute an unwarranted invasion of personal privacy.

If you have any questions, please contact Stacy Bobbitt, Compliance Team Investigator, at (646) 428-3823 or stacy.bobbitt@ed.gov; Jocelyn Panicali, Compliance Team Attorney, at (646) 428-3796 or jocelyn.panicali@ed.gov; or me, at (646) 428-3801 or nadja.r.allen.gill@ed.gov.

Sincerely,

/s/

Nadja Allen Gill
Compliance Team Leader

cc: XXXX, Esq.

¹ Dismissal with prejudice is considered a decision on the merits.