



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

September 30, 2015

Nonresponsiv
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Nonresponsive
Nonresponsive

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

Dear Nonresponsiv
e:

On August 4, 2015, 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 you, on the basis of your sex, by failing to promptly and equitably respond to a complaint of sexual assault that you filed with the University on or about Nonresponsive (Allegation 1). You also alleged that the University discriminated against you, on the basis of your national origin Nonrespons
ive, by failing to permit you to clarify evidence that you submitted during the Title IX investigation/hearing process (Allegation 2). Further, you alleged that the University retaliated against you for filing complaints related to your allegation of sexual assault, by (a) preventing you from attending the Nonresponsive programs and activities during spring 2015; and (b) expelling you from the University on or about Nonresponsive (Allegation 3). Additionally, you alleged that the University discriminated against you, on the bases of your (a) political and religious views, and (b) disabilities, by failing to provide you with academic adjustments for two mid-term exams in March 2015 (Allegation 4). OCR has determined that it will investigate Allegation 1, 2, 3 and 4(b); however, OCR will not investigate Allegation 4(a) for the reasons set forth below.

With respect to Allegation 4(a), you alleged that the University discriminated against you, on the bases of your political and religious views, by failing to provide you with academic adjustments for two mid-term exams in March 2015. OCR enforces federal laws that prohibit discrimination on the bases of race, color, national origin, disability, sex, and age. OCR also is responsible for enforcing the Boy Scouts of America Equal Access Act. OCR has no jurisdiction to investigate allegations of discrimination on the basis of political or religious views. Accordingly, OCR has dismissed Allegation 4(a).

As previously stated, however, OCR will investigate Allegations 1, 2, 3 and 4(b).

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.

Because OCR has determined that it has jurisdiction and that the complaint was filed in a timely manner, it is opening Allegations 1, 2, 3 and 4(b) for investigation. Please note that opening the allegations 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 allegations, 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>.


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, you may file another 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, which, 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 M. 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,



 Nadja Allen Gill
Compliance Team Leader