

RESOLUTION AGREEMENT

New York University College of Dentistry Case No. 02-20-2030

In order to resolve Case No. 02-20-2030, New York University (the University) assures the U.S. Department of Education, Office for Civil Rights (OCR), that it will take the following actions pursuant to 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.

The University affirms its commitment to equal treatment and opportunity for its students and the entire University community and to maintaining an environment that is free of bias, prejudice, discrimination, harassment and retaliation. This agreement was entered into voluntarily and does not constitute an admission of liability, non-compliance, or wrongdoing by the University.

Action Item 1 – Individual Remedy for the Complainant

By May 1, 2020, the University will provide to the Complainant a complete electronic copy of all messages and data stored on her University email account as of the date of this agreement.

Reporting Requirement: By May 15, 2020, the University will provide documentation to OCR demonstrating that it provided to the Complainant a complete electronic copy of all messages and data stored on her University email account consistent with Action Item 1.

Action Item 2 – Training

By June 15, 2020, the University will provide training to administrators and staff at the NYU College of Dentistry (the College) responsible for decisions relating to student email account access, including disabling such accounts, regarding the obligation to refrain from engaging in retaliation, pursuant to the regulation implementing Title IX, at 34 C.F.R. § 106.71. The University will also invite to the training, or share the training information/materials, with University administrators and staff, responsible for decisions relating to student email account access (including disabling such accounts), deemed appropriate by the University to receive such training. The training will cover the prohibition against retaliating against any individual because the individual has engaged in protected activity, such as advocating for rights guaranteed by the regulations OCR enforces. The training will also include a discussion or information regarding the following: (a) what constitutes a protected activity; (b) the prohibition against adverse actions in response to protected activities; (c) recognizing acts of retaliation and intimidation, and their effects on individuals who engaged in protected activities; and (d) that effective action, including disciplinary action where appropriate, will be taken against administrators or staff found to have engaged in retaliatory conduct.

Reporting Requirement: By June 30, 2020, the University will provide documentation to OCR demonstrating that training was provided consistent with Action Item 2 above, including (a) the name(s) and credentials of the individual(s) who conducted or developed the training; (b) a list of the individuals, including their titles, who attended or received the training; (c) the

date(s) the training was conducted or disseminated; (d) a summary or copies of the material covered in the training; and (e) copies of any training materials disseminated.

The University understands that by signing this resolution agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. Further, the University understands that during the monitoring of the resolution agreement, if necessary, OCR may visit the University, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the University has fulfilled the terms and obligations of the resolution agreement. Upon the University's satisfaction of the commitments made under the resolution agreement, OCR will close this case.

The University understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the University written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

This resolution agreement will become effective immediately upon the signature of the University's representative below.

____April 8, 2020_____
Date

_____/s/_____
Dr. Louis Terracio
Vice Dean for Academic Affairs and
Research, Dean's Designee
New York University College of
Dentistry [or designee]