

## **RESOLUTION AGREEMENT**

### **Princeton University Case No. 02-11-2025**

Princeton University (the University) assures the United States Department of Education, New York Office for Civil Rights (OCR), that it will take the actions detailed below pursuant to Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681 *et seq.*, and its implementing regulation, 34 C.F.R. Part 106. This Resolution Agreement has been entered into voluntarily by OCR and the University and does not constitute an admission by the University that its policies and procedures are not in compliance with Title IX or its implementing regulations.

During the course of the investigation, OCR has recognized that the University has engaged in ongoing and proactive efforts to enhance the effectiveness of its policies and procedures, expand the scope of resources, and expand educational and programming initiatives.

The University has had a dedicated Title IX Coordinator in place. The University's Title IX Coordinator has the authority to investigate allegations of sex and gender-based harassment, discrimination and violence prohibited by Title IX. The Title IX Coordinator is also responsible for providing annual training to members of the University community regarding the application and implementation of policies and procedures related to Title IX. The University has regularly notified all students and employees of the Title IX Coordinator's contact information and responsibilities.

The University has maintained and widely distributed a notice of non-discrimination affirming that the University does not discriminate on the basis of sex in its education programs or activities and that it is required by Title IX not to discriminate in such a manner.

#### **A. Sexual Misconduct/Title IX Grievance Procedures**

The University has submitted to OCR for its review and approval revised grievance procedures to address complaints of sexual misconduct (including sex discrimination, sexual harassment, and sexual assault/violence) as required by the regulation implementing Title IX at 34 C.F.R. § 106.8(b). While OCR has not yet reviewed these grievance procedures, the University affirms that these procedures are internally consistent and provide for the prompt and equitable resolution of complaints alleging sexual misconduct (including sex discrimination, sexual harassment, and sexual assault/violence) filed against students, employees, and third parties; and include, at a minimum, the following:<sup>1</sup>

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<sup>1</sup> The University's revised sexual misconduct policy and grievance procedures can be found at <http://sexualmisconduct.princeton.edu/>.

- notice that the procedures apply to complaints alleging all forms of sexual misconduct (including sex discrimination and/or sexual harassment/violence) filed against employees, students, or third parties;
- an explanation of how to file a complaint of sexual misconduct (which includes sex discrimination and/or sexual harassment/violence) pursuant to the policy and procedures;
- the name or title, office address, electronic mail (email) address, and telephone number of the individual with whom to file a complaint;
- definitions and examples of what types of actions may constitute sexual misconduct (including sex discrimination and/or sexual harassment/violence);
- a requirement that responsible employees promptly report sexual misconduct that they observe or learn about;
- provisions providing for the prompt, adequate, reliable, and impartial investigation of all complaints, including the opportunity for the parties to present witnesses and other evidence and to access information being considered in the grievance process (consistent with FERPA);
- provisions providing for the steps the University will take to eliminate a hostile environment when the complainant<sup>2</sup> chooses not to proceed with an informal or formal complaint or a hearing;
- an explicit statement that the University will consider the effects of off-campus conduct when evaluating whether there is a hostile environment on campus;
- provisions indicating that the University has an obligation to make reasonable efforts to investigate and address instances of sexual misconduct (including sex discrimination and/or sexual harassment/violence) when it knows or should have known about such instances, even when a complainant chooses not to participate in an investigation, and will respond to complaints, reports, or information about incidents of sexual misconduct to stop prohibited sexual misconduct, eliminate any hostile environment, take steps to prevent the recurrence of sexual misconduct and address any effects on campus from such conduct;
- a description of the appropriate use of informal resolutions, if any, including: when informal resolution may be inappropriate (e.g., mediation is prohibited in cases of sexual assault, and those involving a student complaining of sexual harassment against an employee in a position of authority over the student); and that the complainant must be

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<sup>2</sup> Consistent with OCR’s terminology, the term “complainant” used through this Agreement refers to an individual who is the subject of alleged sexual misconduct (including sex discrimination and/or sexual harassment/violence) for which a complaint or report is made.

notified of the available informal options and the right to end the informal process at any time and begin the formal complaint process;

- clarification that any informal resolution mechanism set forth in the procedures will only be used if the parties voluntarily agree to do so, that the complainant will not be required to resolve the problem directly with the respondent;
- provisions affording all parties equivalent rights during the process and appeal;<sup>3</sup>
- provisions prohibiting parties from personally cross-examining<sup>4</sup> each other during disciplinary processes;
- a statement that the preponderance of the evidence standard will be used for investigating and making findings relating to allegations of sexual misconduct (including sex discrimination and/or sexual harassment/violence);
- an understanding that current students should not serve on hearing boards in cases involving allegations of sexual misconduct;
- designated and reasonably prompt timeframes for the major stages of the sexual misconduct grievance process that apply equally to the parties of the complaint, including the fact gathering, complaint resolution, and appeal processes, if any;
- a description of the sexual misconduct/Title IX rights of complainants and available resources and reporting options, including confidential resources, support resources, such as counseling and the SHARE office, disciplinary options, and the option to file or decline to file a complaint with a local law enforcement agency;
- a statement of the University's commitment to investigate complaints of sexual misconduct in all cases, and provide interim measures to the complainant as appropriate, regardless of the enrollment status of an accused student (e.g., a current versus former student);
- a provision indicating that the University will comply with law enforcement requests for cooperation, that such cooperation may require the University to temporarily suspend the fact-finding aspect of a sexual misconduct/Title IX investigation while the law enforcement agency is in the process of gathering evidence, and that the University will promptly resume its sexual misconduct/Title IX investigation as soon as it is notified by the law enforcement agency that it has completed the evidence gathering process;
- a provision indicating that the University will implement appropriate interim steps during the university's investigation period to provide for the safety of the complainant(s) and the campus community and the avoidance of retaliation;

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<sup>3</sup> The University has informed OCR that character witnesses are not utilized in its revised grievance procedures.

<sup>4</sup> The University has informed OCR that cross examinations are not utilized in its revised grievance procedures.

- a statement that interim measures will not disproportionately impact the complainant, and that interim measures are available even if the complainant does not file or continue to pursue a complaint of sexual misconduct;
- a statement of the available interim measures and how they can be obtained (such as counseling, housing assistance, academic adjustment or other academic assistance, and stay away orders);
- a provision noting that requests for interim measures may be made by or on behalf of the complainant to any University official involved with or responsible for Title IX compliance, including the Title IX Coordinator, and the Title IX Coordinator (or other designated official) will be responsible for ensuring the implementation of appropriate interim steps and coordinating the University's response to these individuals cases with the appropriate offices on campus;
- an explanation of the University's confidentiality policy, which includes an assurance that the University will keep the complaint and investigation private to the extent possible and explains what type of information will be shared with the accused if a complaint is filed;
- revisions to the University's procedures to clarify that, while discretion remains important, parties are not restricted from discussing and sharing information related to their complaints with others that may support or assist them in presenting their case;
- a provision requiring concurrent written notification to both parties of the outcome of the University's investigation and any appeal;
- a provision requiring that, if requested by the complainant, the University will promptly implement a one-way no contact order (with the burden of no contact on the accused) if the University has made a finding of responsibility under the sexual misconduct policy, even if an appeal may be filed, or has been filed and is pending;
- notice of the opportunity for both parties to file an appeal, to the extent the procedures allow appeals, and for both parties to participate equally in the appeal process, even if the party has not herself or himself filed an appeal;
- an assurance that the appeal will be conducted in an impartial manner by an impartial decision-maker trained in issues of sexual misconduct/Title IX;
- examples of the range of possible disciplinary sanctions, and the types of remedies available to the complainant and others;
- an explanation of how disciplinary actions, if any, relating to a sexual misconduct complaint (e.g., underage drinking before a sexual assault) will be handled in the complaint procedure;
- a statement that the complainant's past sexual history will typically not be used in determining whether sexual misconduct occurred; except where consent is at issue, prior

consensual activity between the two parties, while not determinative, may be relevant to determining whether consent was sought and given, recognizing that consent to one sexual act does not constitute consent for another sexual act; in addition, the past sexual history may be relevant under limited circumstances, for example, to explain injury.<sup>5</sup>

- a statement that medical and counseling records are privileged and confidential documents that students will not be required to disclose.
- a statement that retaliation is prohibited against any individual who files a complaint of sexual misconduct/Title IX, participates in a complaint investigation in any way, or opposes in a reasonable manner an act or policy believed to constitute sex discrimination;

**Reporting Requirements:<sup>6</sup>**

- a) The University has submitted to OCR for its review and approval its sexual misconduct/Title IX grievance procedures revised in accordance with Section A above. The University also has submitted to OCR the link to the webpage where the revised grievance procedures are located. The University affirms that these grievance procedures have been adopted and implemented by the University, and all faculty, staff, and students have been provided with notice regarding the grievance procedures for resolving sexual misconduct/Title IX complaints together with information on how to obtain a copy of the grievance procedures.
- b) Within 45 calendar days of written notification from OCR of its approval of the revised sexual misconduct/Title IX grievance procedures, the University will again provide written confirmation to OCR that the revised procedures were adopted and implemented and that all faculty, staff, and students were provided with written notice regarding the grievance procedures for resolving sexual misconduct/Title IX complaints together with information on how to obtain a copy of the grievance procedures. The University will again confirm to OCR that it has, at a minimum, made this notification through the University’s website; electronic mail messages to faculty, staff, and students; as well as by any other additional means of notification the University has deemed effective to ensure that the information is widely disseminated. The University will again provide to OCR copies of or a link to its revised student handbooks and any other publications that contain the procedures, and a link to its webpage where the revised sexual misconduct/Title IX procedures are otherwise located.

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<sup>5</sup> This takes into account OCR’s guidance issued on April 29, 2014: “Questioning about the complainant’s sexual history with anyone other than the alleged perpetrator should not be permitted. Further, a school should recognize that the mere fact of a current or previous consensual dating or sexual relationship between the two parties does not itself imply consent or preclude a finding of sexual violence.” This also takes into account New Jersey law.

<sup>6</sup> OCR will attempt to review and approve all documentation submitted to OCR pursuant to the Reporting Requirements of Sections A through L of this Resolution Agreement within 60 calendar days of receipt.

**B. Individuals On-Call to Notify Complainants of Available Options and Coordination with Law Enforcement Agencies**

By February 1, 2015, the University's policies and procedures will reference the following:

- Upon receipt of a sexual misconduct (including sex discrimination and/or sexual harassment/violence) complaint or report (including receipt by the University campus police department), the University will provide to the complainant a written notice describing the available options, including pursuing a criminal complaint with a law enforcement agency, pursuing the University's investigation process, or pursuing both options at the same time; and the potential consequences of pursuing both options (*i.e.*, possible temporary suspension of the fact-finding aspect of the University's investigation while the law enforcement agency is in the process of gathering evidence). The University will document which option(s) the complainant wishes to pursue or decline.
- The University campus police will promptly notify the Title IX Coordinator upon receipt of any complaint or report of alleged sexual misconduct. The University will not wait for the conclusion of a criminal investigation or criminal proceeding to begin its own sexual harassment/violence investigation though, as noted below, it will temporarily delay the fact-finding portion of its sexual harassment/violence investigation during law enforcement's evidence gathering process; and if needed, it will take immediate steps to protect the student in the educational setting.

**Reporting Requirement:** By February 15, 2015, the University will provide to OCR a copy of a written notice to a complainant developed consistent with Section B above, and a website link to the University's notice.

**C. Sexual Misconduct/Title IX Training**

*Background - Training the University Community:*

The University has been, and will continue to be, committed to publicizing, disseminating and providing a comprehensive education and prevention program that educates the University community about the University's policies and procedures and engages the University community to address the entire spectrum of prevention; strengthen individual knowledge and skills; promote community education; educate responsible employees; foster coalitions and networks, and devote resources to the education, prevention and environmental change efforts to address issues related to alcohol and other drugs. The University affirms that it presents multiple education and prevention initiatives for the campus community throughout the year.

*Educating Employees Involved with Title IX Compliance:*

In addition to information and education to the broad University community, the University affirms that it provides comprehensive ongoing training for all community members involved with processing, investigating or resolving complaints of sexual misconduct or who may otherwise assist in the coordination of the University's compliance with Title IX. These include trainings for Assistant Title IX Coordinators; the Sexual Harassment/Assault Advising, Resources and Education (SHARE) office and SHARE Peer Advisors; the Ombuds office;

Residential College Advisors; officials involved in the disciplinary process; Title IX investigators; community members who have volunteered to serve as advisors to complainants and respondents in student disciplinary processes involving sexual misconduct allegations, Athletics, the LGBT Center, the Women’s Center, the Office of the Dean of the Faculty, Human Resources, the Office of the Dean of Undergraduate Students, and the Office of the Dean of the Graduate School.

1. Training Employees Responsible for Recognizing and Reporting Sexual Misconduct.

By October 1, 2015 and by the same date in 2016 and 2017, the University will provide training to all staff responsible for recognizing and reporting incidents of sexual harassment (including but not limited to residential college advisors (RCAs), campus police, faculty, administrators, counselors, general counsels, athletic coaches, health personnel, and any other responsible employees, to the extent they are not confidential resources under policy or applicable law). The training will cover, at a minimum: the revised grievance procedures; the obligation of staff to report sexual misconduct including what should be included in a report, any consequences for the failure to report, and the procedure outlining their responsibility to students’ requests for confidentiality); how to report sexual misconduct pursuant to Title IX and the revised grievance procedures; the person(s) to whom sexual misconduct must be reported; how to recognize and identify sexual misconduct and the behaviors that may lead to and result in sexual misconduct; the University’s responsibilities under Title IX to address such allegations; and the relevant resources available. The training should also include information on the reporting obligations of University staff; the student’s option to request that their identifying information not be shared with the respondent or that no action be taken; the existence of available confidential advocacy, counseling, or other support services; and their right to file a sexual harassment complaint with the University and to report a crime to campus or local law enforcement; as well as the attitudes of bystanders that may allow conduct to continue; the potential for victimization of students who may have experienced sexual misconduct and its effects on students; appropriate methods for responding to a student who may have experienced sexual misconduct; and the impact of trauma on students who experience sexual misconduct. During the training, the University will provide copies of revised sexual misconduct/Title IX grievance procedures to all attendees or refer them to their location within the publications they already possess.

**Reporting Requirement:** By October 15, 2015, and by the same date in 2016 and 2017, the University will provide documentation to OCR demonstrating that it has provided the training referenced in Section C (1) above. The documentation will include, at a minimum, the date(s) of the training; the name(s) and title(s) of the trainer(s); a copy of any materials used or distributed during the training; and a sign-in sheet with the names and titles of the individuals who attended the training.

2. Training for Community Members Involved In Implementation of Sexual Misconduct/Title IX Grievance Procedures.

By February 1, 2015, and by the same date in 2016 and 2017, the University will provide its Title IX Coordinator and designees and any other University officials/students directly involved in receiving, processing, investigating, adjudicating, and/or resolving complaints of sexual misconduct with training on the University’s sexual misconduct/Title IX grievance procedures,

the University's obligations regarding the investigation of complaints; guidance from OCR; and Title IX's prohibitions on retaliation. The training will also include instruction on how to conduct and document adequate, reliable, and impartial sexual misconduct/Title IX investigations for those charged with investigative duties, including information on working with and interviewing persons subjected to sexual violence; information on particular types of conduct that would constitute sexual violence, including same-sex sexual violence; the proper standard of review of allegations of sexual misconduct (preponderance of the evidence); information about coordination and communication between the University and the local external law enforcement, information on consent and the role drugs and alcohol can play in the ability to consent; the importance of accountability for individuals found to have committed sexual misconduct; the need for remedial actions for the respondent, complainant, and school community; how to determine credibility; how to evaluate evidence and weigh it in an impartial manner; how to conduct sexual misconduct/ Title IX investigations; confidentiality; the effects of trauma; and cultural awareness training regarding how sexual misconduct may impact students differently depending on their backgrounds.

**Reporting Requirement:** By February 15, 2015, and by the same date in 2016 and 2017, the University will provide documentation to OCR demonstrating that it has provided the training referenced in Section C (2) above. The documentation will include, at a minimum, the date(s) of the training; the name(s) and title(s) of the trainer(s); a copy of any materials used or distributed during the training; and a sign-in sheet with the names and titles of the individuals who attended the training.

#### **D. Campus-Based Committee**

1. The University has informed OCR that it has maintained a standing committee on Sexual Misconduct Policies, Prevention and Programs (SMPPP), led by the University's Title IX Coordinator and including officials from the Provost's office, Office of the Dean of the Faculty, Office of the Dean of the Graduate School, Office of the Dean of Undergraduate Students, Human Resources, the Department of Public Safety and the residential colleges. The SMPPP has been tasked with oversight of campus activities related to sexual misconduct, harassment, and assault.

The University has provided to OCR information regarding the establishment of a committee called the Faculty-Student Committee on Sexual Misconduct, which includes undergraduate and graduate students, faculty members and administrators from a cross-section of the University. This committee will review and monitor systemic issues relating to sexual misconduct and Title IX compliance, including our applicable policies, procedures, trainings and campus climate. This committee will identify and recommend, by October 1, 2015, and the same date annually thereafter as necessary, among other things, strategies to ensure that students understand their rights under Title IX and the University's sexual misconduct policy and procedures; understand how to report possible violations of sexual misconduct policy/Title IX; and to ensure that the University takes each complaint seriously and provides a prompt and equitable response in accordance with the requirements of Title IX. Additionally, the committee will recommend additional strategies for improving the effectiveness of the University's procedures,

support services, and resources available to students and for the prevention of sexual misconduct, including outreach and educational activities. The committee will submit recommendations to the University for consideration.

**Reporting Requirement:** By December 1, 2014, and by the same date in 2015 and 2016, the University will provide OCR with a list of names and titles of the members of the Faculty-Student Committee on Sexual Misconduct, and meeting dates.

2. By October 15, 2015, and by the same date in 2016 and 2017, the University will submit to OCR for review a list of recommendations submitted by the Faculty-Student Committee on Sexual Misconduct, as well as a list of those recommendations adopted by the University. In particular, this list will include a copy of the committee's recommended actions relating to the procedures, outreach, and training, and/or other University practices addressed by this Agreement, together with supporting information that explains the bases for the recommendation (such as climate checks), and the University's plans with respect to those recommendations (including timeframes for such plans). The University will complete these plans in accordance with stated timeframes or as agreed upon following OCR's review.

**Reporting Requirement:** By October 15, 2015, and by the same date in 2016 and 2017, the University will provide a report to OCR of the steps taken with respect to the committee recommendations.

#### **E. Information Sessions**

1. The University has informed OCR that it has provided information to students consistent with Section C above; nonetheless, beginning August 15, 2015, the University will offer annual information sessions to students so that they are aware of the University's prohibition against sexual misconduct; how to recognize such sexual misconduct when it occurs; and how and with whom to report any incidents of sexual misconduct (including sex discrimination, sexual harassment and sexual assault/violence). In addition, the sessions will cover the University's sexual misconduct/Title IX grievance procedures; as well as a general overview of Title IX, the rights it confers on students, the resources available to students who have experienced sexual misconduct), including access to the Sexual Harassment/Assault Advising, Resources, & Education, and interim remedies during the course of an investigation), and the existence of OCR and its authority to enforce Title IX. These sessions may be provided as part of the existing annual student orientation for new and returning students, and existing annual residence life orientation for students residing in campus housing.

**Reporting Requirement:** By October 15, 2015, and by the same date in 2016 and 2017, the University will provide documentation to OCR demonstrating implementation of Action Item E (1) above; including a description of each information session and the dates that the information sessions were held.

2. By October 1, 2015, the University will develop and implement a public awareness and bystander intervention campaign aimed at educating students about sexual misconduct and safe strategies for bystander intervention.

**Reporting Requirement:** By October 15, 2015, and by the same date in 2016 and 2017, the University will provide documentation of its public awareness and bystander intervention campaign.

**F. Dissemination of Information Regarding Sexual Misconduct (including sex discrimination and/or sexual harassment/violence)**

By February 15, 2015, the University will, as appropriate, revise its existing materials or develop new materials on sexual misconduct to be distributed to students during orientation and upon receipt of complaints of sexual misconduct and submit such materials to OCR for review. The materials will contain information on what constitutes a sexual misconduct; what to do if a student has been subjected to sexual misconduct and contact information for on- and off-campus resources for students who have been subjected to sexual misconduct. In addition, the University will include information on how to file a complaint of sexual misconduct with the University; the name and contact information for the University's Title IX Coordinator or the individual with whom complaints are filed, and a description of the Title IX Coordinator's role; information on how to obtain counseling and academic assistance in the event of sexual misconduct; and information on what interim measures can be taken to protect a complainant and how to request interim measures if the alleged perpetrator lives on campus and/or lives in the same dorm and/or attends the same classes as the complainant.

**Reporting Requirement:** Within 60 days of OCR's approval of the materials referenced in Section F above, the University will provide documentation to OCR demonstrating that it has implemented Section F above, including a link to where the material is posted on the University's website. The documentation will include information about which of the University offices will be responsible for distributing the materials upon receipt of a complaint of sexual misconduct (including sex discrimination, sexual harassment, and/or sexual assault/violence).

**G. Climate Checks**

By October 1, 2015, again by the same date in 2016 and 2017, the University will conduct (in consultation with the campus-based committee mentioned above in Section D) a climate check with students to assess the steps and measures taken pursuant to this Resolution Agreement and otherwise by the University to achieve its goal of a campus free of sexual misconduct, in particular sexual assault/violence. The climate check may be accomplished through a written or electronic survey, provided that students receiving the survey also are notified of a contact person, such as a counselor, should they wish to discuss this issue in person. Any survey used should contain questions about the student's knowledge of sexual misconduct (including sex discrimination and/or sexual harassment/violence) any experiences with sexual misconduct while attending the University; and the student's awareness of the University's sexual misconduct/Title IX policies and procedures.

By January 15, 2015, the University will submit for OCR review and approval a description of the tools used for conducting a climate check or series of climate checks. OCR will respond to the University by February 15, 2015. The description will include the University's strategy for implementing the climate check(s) and analyzing the results. Information gathered during these climate checks will be used to inform future proactive steps taken by the University to provide an environment that is safe and supportive to all students and in compliance with Title IX. Finally, part of the University's ongoing climate checks will include informing students about to whom they can report concerns of sexual misconduct (including sex discrimination and/or sexual harassment/violence), such as the Title IX Coordinator or a counselor, as described in other provisions of this Agreement. The University will submit proposed future revisions to its climate check tool(s) for OCR review and prior approval during the monitoring of the Agreement.

**Reporting Requirement:** By October 15, 2015, and by the same date in 2016 and 2017, the University will provide documentation to OCR demonstrating implementation of Section G above, including a description of how the climate check(s) were completed summary frequency tables of the student responses formatted in manner that does not disclose the responses of individual students; and proposed actions, if appropriate, that the University plans to take in response to the information gathered during the climate checks. This reporting date may be postponed depending on when OCR provides responses to the University under this section.

## **H. Coordination with Local Law Enforcement**

By February 1, 2015, the University will send a letter to the Mercer County Prosecutor's Office and any other external local law enforcement agencies with jurisdiction over the University and its students requesting a Memorandum of Understanding (MOU), where there is not an existing MOU, to improve communication and coordination and to address the protocols and procedures for referring allegations of sexual misconduct, sharing information, and conducting contemporaneous investigations. The overall goal of any MOU should be to aid the University in complying with Title IX, to the extent permitted by applicable privacy and confidentiality laws. The letter will state: (1) that in instances where conduct of a sexual nature is involved, the University is required to investigate in accordance with Title IX but will temporarily delay the fact-finding portion of its Title IX investigation during external local law enforcement's evidence gathering process; (2) that upon notification from the Mercer County Prosecutor's Office or a law enforcement agency that the Prosecutor's Office has completed its evidence gathering process, the University must promptly resume its fact-finding portion of its Title IX investigation; and (3) that during the pendency of the initial evidence gathering by the police, the University will not be precluded from providing witnesses with information about their Title IX rights or resources for students who experience sexual misconduct or taking such interim actions as may be necessary to ensure the safety and support of any students who experience sexual misconduct and the safety of the campus community.

**Reporting Requirement:** By February 15, 2015, the University will provide a copy of this letter to OCR and any written response by the Mercer County Prosecutor's Office and other law enforcement agencies with jurisdiction over the

University and its students. The University will submit the existing MOUs developed with these law enforcement agencies to OCR for review and approval.

1. The University will include in the University's Title IX administrative investigatory file relating to a complaint of sexual misconduct, documentation of the date on which the University temporarily suspended fact-finding while the Mercer County Prosecutor's Office or other external law enforcement agencies were in the process of gathering evidence, and the date on which the University resumed its Title IX administrative investigation.

**Reporting Requirement:** By July 15, 2015, and by the same date in 2016 and 2017, the University will provide a copy of the Title IX administrative investigative files for any student who has filed a complaint of sexual misconduct with the Princeton Police Department or any other law enforcement agency and with the University the previous academic year.

## **I. Complaint Reviews**

By February 1, 2015, in accordance with its revised grievance procedures, the University will review the complaints and reports of sexual misconduct made from academic year 2011-2012 to September 1, 2014, to determine whether the University investigated each complaint or report promptly and equitably, including but not limited to, assessing: whether the appropriate definitions and analyses were used under Title IX; the appropriate evidence standard in investigating allegations of sexual misconduct; the interim relief provided to protect the complainant during the pendency of the investigation; the written notice of the outcome (including any appeal) and appeal rights to the complainant and the accused; and the steps taken to prevent the recurrence of sexual misconduct and to address any hostile environment created by the misconduct. The University will take appropriate action to address any problems identified in the manner in which these complaints were handled, including providing appropriate remedies that may still be available for the complainants in these cases, such as counseling or academic adjustments; though the University is not expected to reinvestigate or rehear matters that have been finally resolved under University policy.

**Reporting Requirement:** By February 15, 2015, the University will submit to OCR for review and approval the results of its review conducted pursuant to Section I, specifically identifying any sexual misconduct complaints or reports that were not handled promptly and equitably, all supporting materials relating to the University's review, and the University's planned action(s) to address any problems identified in the review.

**Reporting Requirement:** Within 45 days of OCR's approval, the University will take appropriate action to address any problems identified in its review.

## **J. Remedies for Students 1, 2, and 3**

By February 1, 2015, the University agrees to provide to Students 1, 2, and 3 reimbursement for appropriate University-related expenses as well as expenses for counseling, that Students 1, 2,

and 3 incurred from the date on which each student first reported alleged sexual assault/violence to the University to the date of resolution; and inquire as to the student’s need for any remedial measures. Student 1: Date of Report XXXXXXXX; Date of Resolution XXXXXXXX (includes respondent’s appeal process and denial of Student 1’s appeal); Student 2: Date of Report: XXXXXXXX Date of Resolution XXXXXXXX; Student 3: Date of Report XXXXXXXX, Date of Resolution XXXXXXXX.

**Reporting Requirement:** By February 15, 2015, the University will provide documentation to OCR demonstrating the University’s compliance with Section J.

**K. Tracking of Complaints**

By October 15, 2015, and by the same date in 2016 and 2017, the University will provide OCR with documentation concerning its responses and handling of all sexual misconduct/Title IX allegations reported during the previous year, including a summary of the allegations reported to the University and information about the individual(s) who received and processed the initial complaints, the outcome of the sexual misconduct/Title IX investigations, as well as the outcome of any disciplinary matters related to the allegations, and any supporting documentation.

**L. Monitoring**

The University understands that OCR will not close the monitoring of this agreement until OCR determines that the University has fulfilled the terms of this agreement and is in compliance with the regulations implementing Title IX, at 34 C.F.R. Part 106, which were at issue in this case. The University also understands that by signing this agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this agreement. Further, the University understands that during the monitoring of this 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 of this agreement and is in compliance with the regulations implementing Title IX, at 34 C.F.R. Part 106, which were at issue in this case. In addition, the University understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this agreement, OCR shall give the University written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

10/12/2014

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Date

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Sankar Suryanarayan  
Acting General Counsel  
Princeton University