



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

TIMOTHY C. J. BLANCHARD  
DIRECTOR  
NEW YORK OFFICE

August 17, 2016

Dr. Marc Tessier-Lavigne  
President  
Rockefeller University  
1230 York Avenue  
New York, New York 10065-6399

Re: Case No. 02-16-2283  
Rockefeller University

Dear Dr. Tessier-Lavigne:

On July 14, 2016, the U.S. Department of Education, Office for Civil Rights (OCR) received the above-referenced complaint filed against Rockefeller University (the University). The complainant alleged that the University discriminated against [No] on the basis of [Non] sex, by failing to respond appropriately to a report of a sexual assault that [No] made on or about [Non Res] [Non] and as a result, [No] was subjected to a sexually hostile environment. OCR has determined that this allegation is appropriate for investigation. Additionally, OCR will investigate whether the University failed to respond promptly and equitably to other complaints, reports and/or incidents of sexual assault/violence of which it had notice; and as a result, other students at the University were subjected to a sexually hostile environment.

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 this allegation for investigation. Please note that opening the allegation for investigation in no way implies that OCR has made a determination with regard to its merit. 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.

Enclosed is a document entitled, “OCR Complaint Processing Procedures.” This document will provide you with an overview of OCR’s complaint evaluation, investigation, and resolution process. OCR will collect only material needed to investigate this complaint and will take all proper precautions to protect the identity of any individuals named in documents.

Please submit the information listed on the enclosed data request to OCR within twenty (20) days of the date of this letter. The regulation implementing Title VI of the Civil Rights Act of 1964, at 34 C.F.R. § 100.6(b) and (c), requires that a recipient of federal financial assistance make available to OCR information that may be necessary for it to determine whether a recipient is in compliance with the regulations it enforces. This requirement is incorporated by reference in the regulation implementing Title IX at 34 C.F.R. § 106.71. This information is also being requested pursuant to 34 C.F.R. § 99.31(a)(3)(iii).

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 in the enclosure to this letter entitled, “OCR Complaint Processing Procedures,” and on OCR’s website at <http://www2.ed.gov/about/offices/list/ocr/complaints-how.html>.

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 enclosure entitled, “OCR Complaint Processing Procedures,” and on OCR’s website at <http://www2.ed.gov/about/offices/list/ocr/complaints-how.html>.

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.

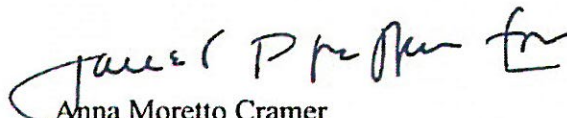
Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, it will seek to protect, to the extent provided by law, personally identifiable information that, if released, could reasonably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

OCR staff will contact you within twenty (20) calendar days to discuss the allegation and the complaint resolution process. In the interim, if you are interested in resolving this complaint through OCR’s ECR process or have any questions, please contact Colin Power, Compliance Team Attorney, at (646) 428-3832 or [R.Colin.Power@ed.gov](mailto:R.Colin.Power@ed.gov); or Janet Pfeffer, Senior Equal

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Opportunity Specialist, at (646) 428-3833 or [Janet.Pfeffer@ed.gov](mailto:Janet.Pfeffer@ed.gov); or Tracey Beers, Senior Compliance Team Attorney, at (646) 428-3804 or [Tracey.Beers@ed.gov](mailto:Tracey.Beers@ed.gov).

Sincerely,

  
Anna Moretto Cramer  
Compliance Team Leader

Encl.

**Data Request**

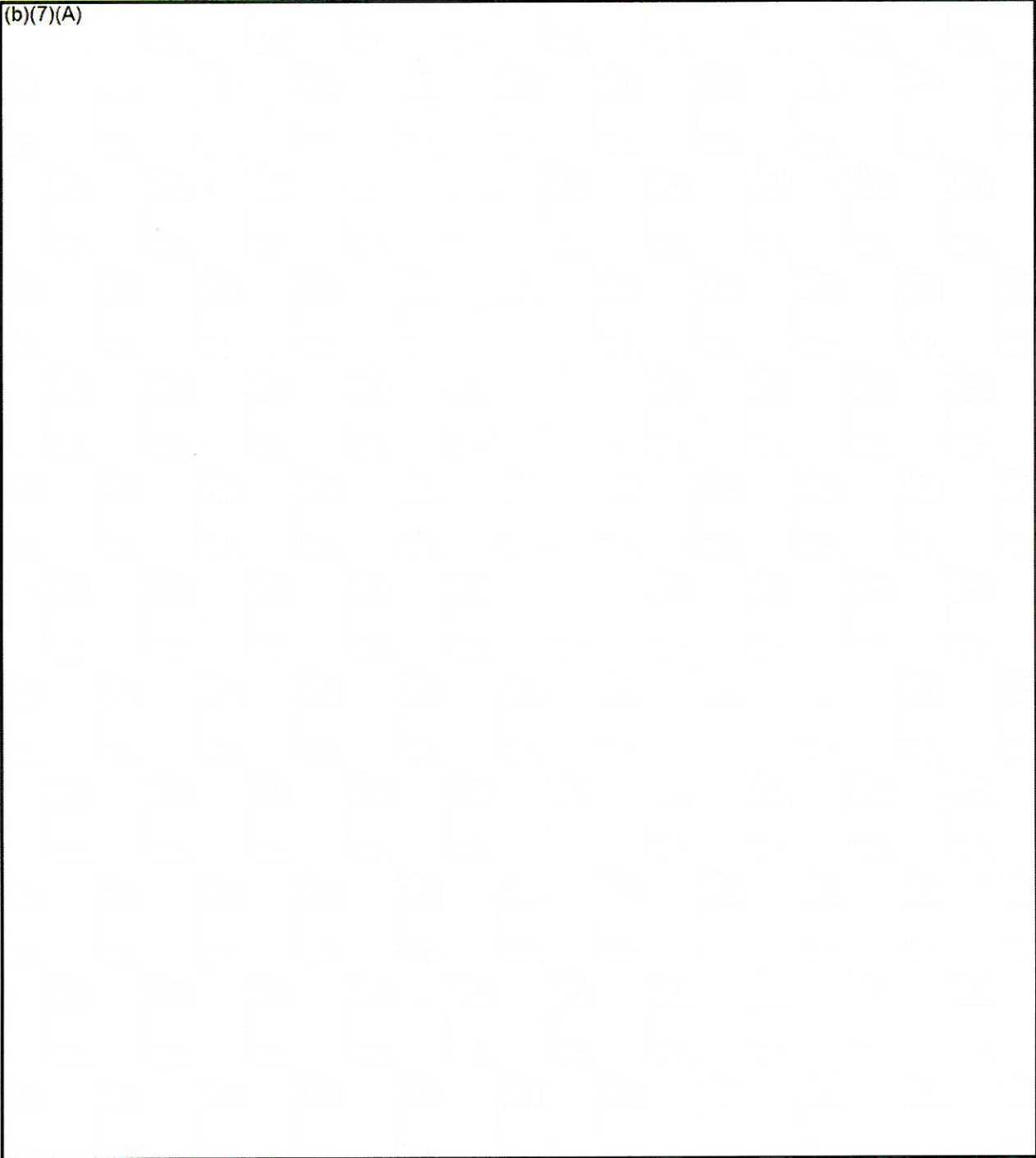
Case No. 02-16-2283

Rockefeller University (the University)

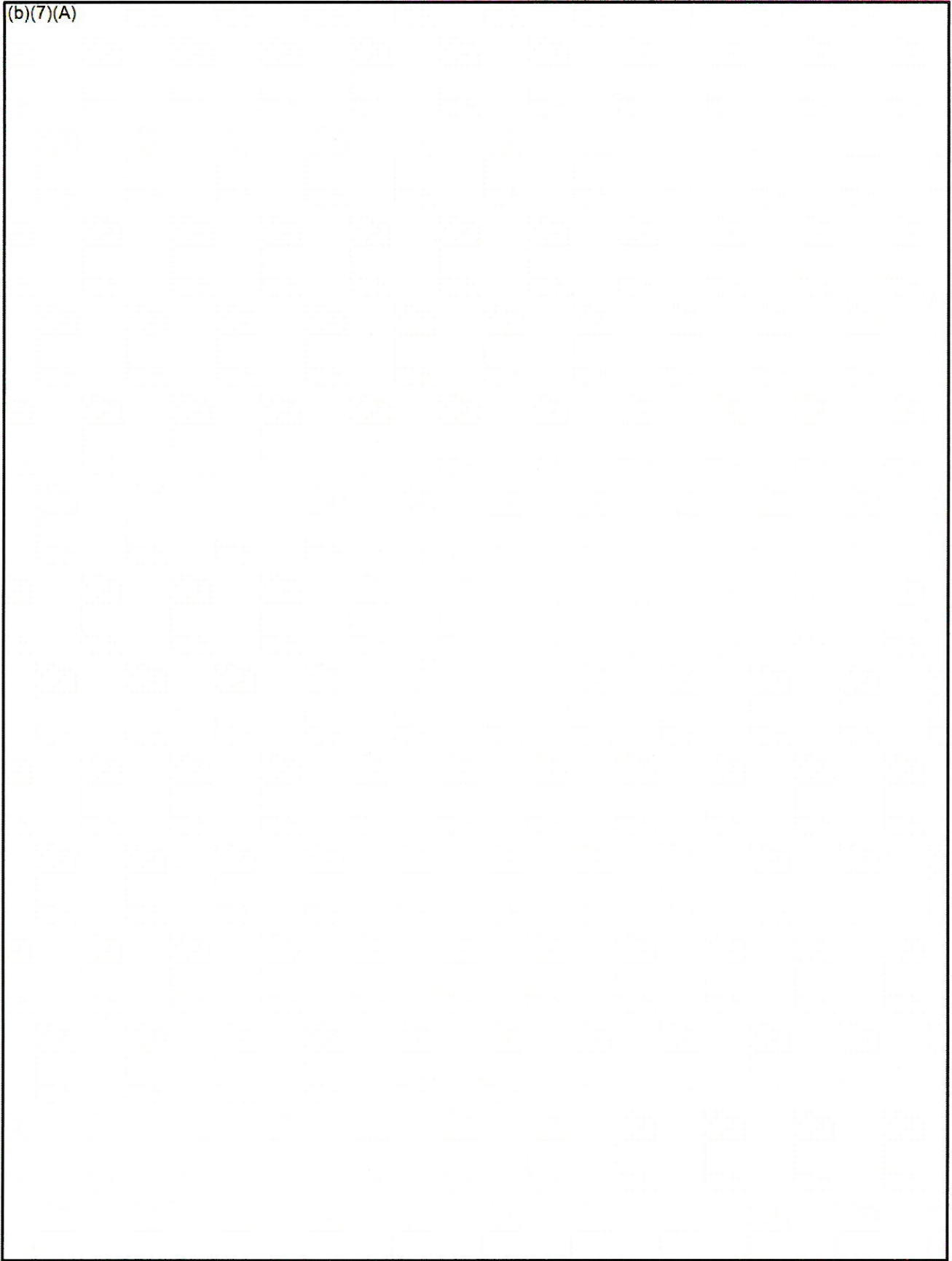
Non Responsive (the complainant)

Due Date: (b)(7)(A)

(b)(7)(A)

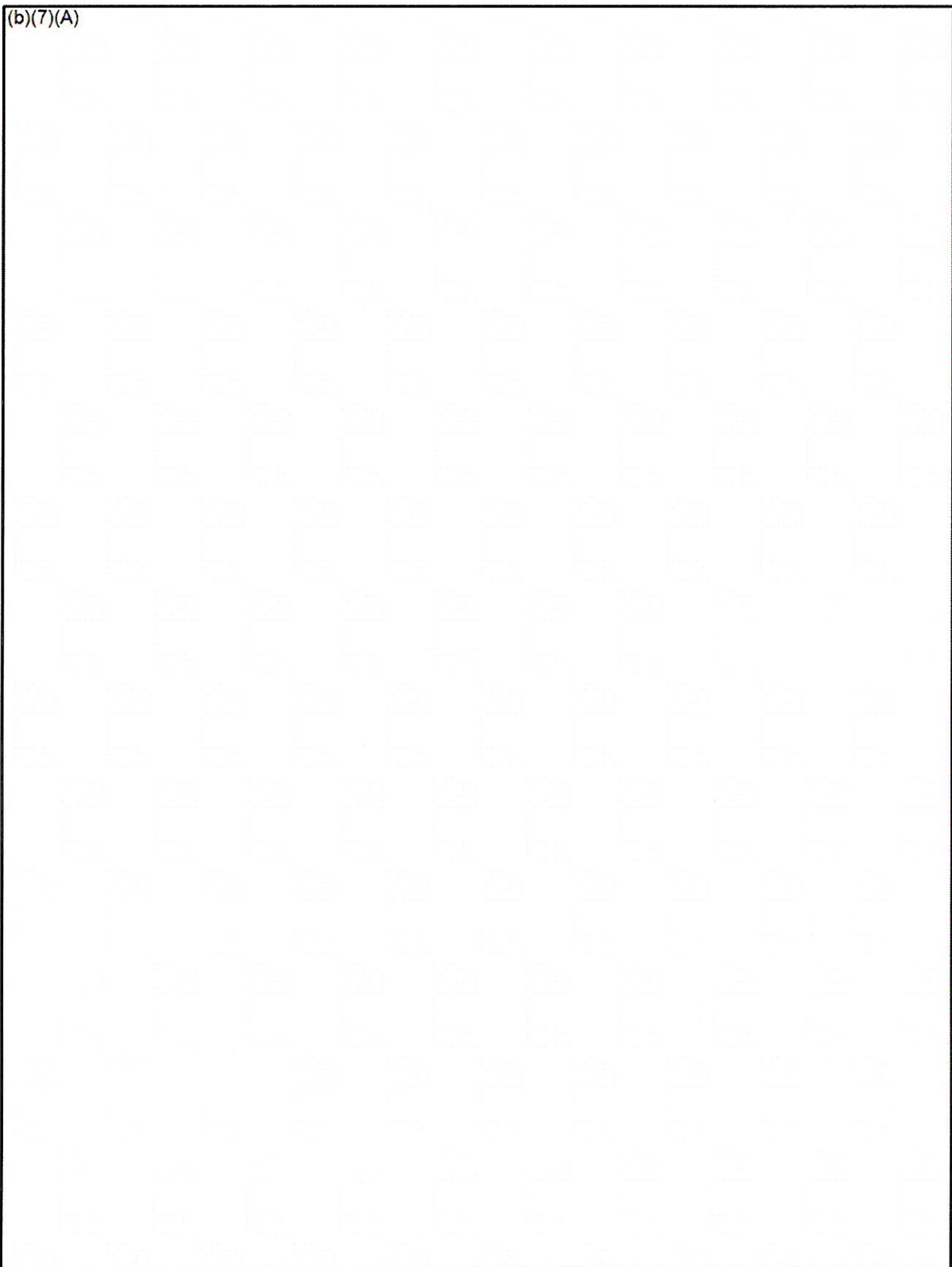


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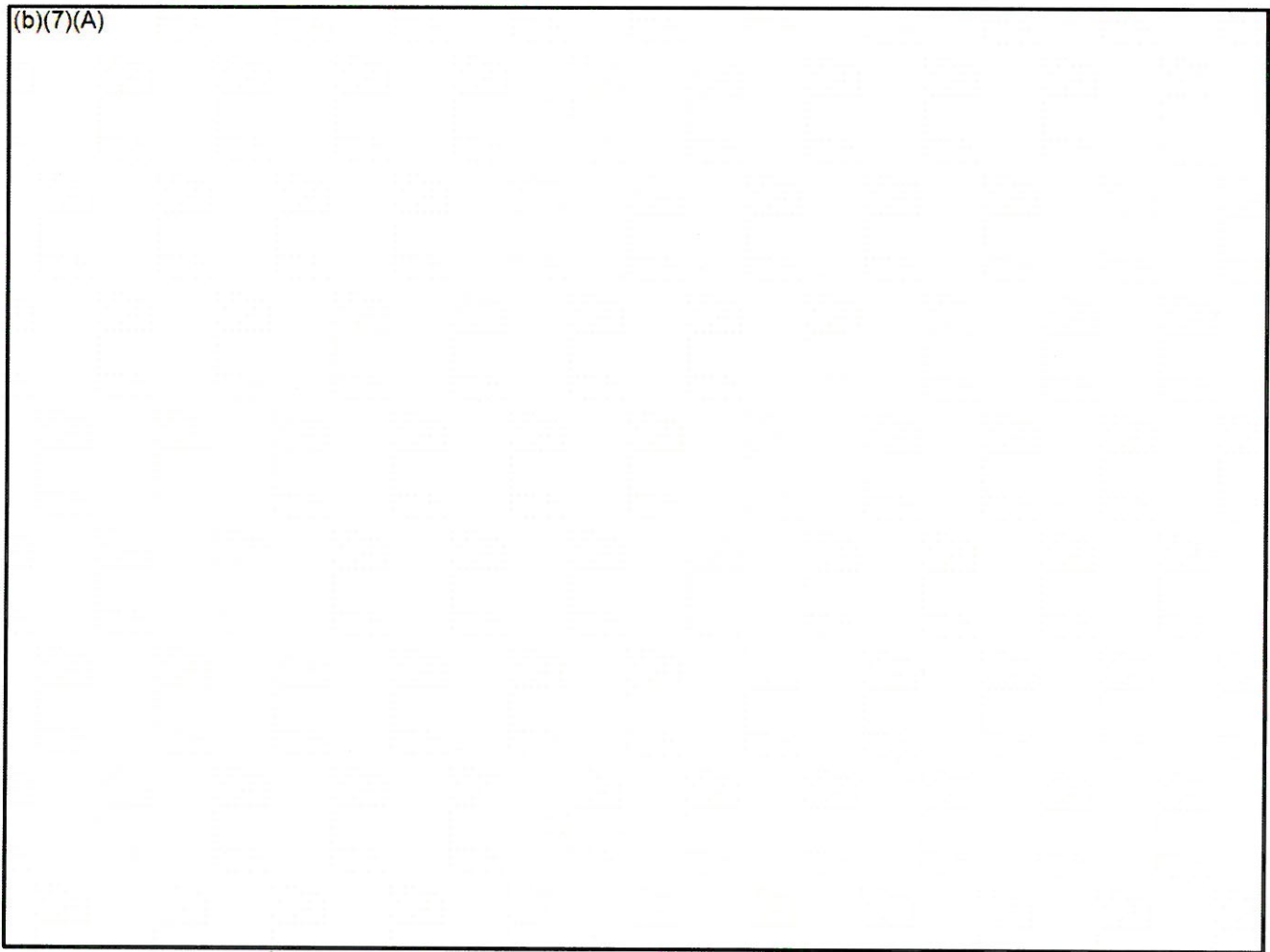




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NEW YORK, NEW YORK 10005

TIMOTHY C. J. BLANCHARD  
DIRECTOR  
NEW YORK OFFICE

August 17, 2016

Non Responsive

Re: Case No. 02-16-2283  
Rockefeller University

Dear Non Responsive:

On July 14, 2016, the U.S. Department of Education, Office for Civil Rights (OCR) received the above-referenced complaint you filed against Rockefeller University (the University). You alleged that the University discriminated against you, on the basis of your sex, by failing to respond appropriately to a report of sexual assault you made on or about Non Responsive; and as a result, you were subjected to a sexually hostile environment. Based on the information you provided in your complaint, OCR has determined that your allegation is appropriate for investigation.

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 this allegation for investigation. Please note that opening this allegation for investigation in no way implies that OCR has made a determination with regard to its merit. During the investigation, OCR is a neutral fact-finder, collecting and analyzing relevant evidence from you, 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/complaints-how.html>.


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/complaints-how.html>.

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 that, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

OCR will communicate with you periodically regarding the status of your complaint. In the interim, if you are interested in resolving this complaint through OCR’s ECR process or have any questions, please contact Colin Power, Compliance Team Attorney, at (646) 428-3832 or [R.Colin.Power@ed.gov](mailto:R.Colin.Power@ed.gov); or Janet Pfeffer, Senior Equal Opportunity Specialist, at (646) 428-3833 or [Janet.Pfeffer@ed.gov](mailto:Janet.Pfeffer@ed.gov); or Tracey Beers, Senior Compliance Team Attorney, at (646) 428-3804 or [Tracey.Beers@ed.gov](mailto:Tracey.Beers@ed.gov).

Sincerely,

  
Anna Moretto Cramer  
Compliance Team Leader