

RESOLUTION AGREEMENT
Rutgers University
Case Numbers 02-24-2122, 02-24-2386, and 02-24-2431

Rutgers University (the University) executes this resolution agreement (Agreement) to resolve the compliance concerns the United States Department of Education, Office for Civil Rights (OCR) identified for the above-referenced complaints of discrimination based on national origin, including shared Jewish, Palestinian, Arab, Muslim, South Asian, and/or Israeli ancestry, and/or the association with these national origins/ancestries (“Title VI Shared Ancestry Classes”) under Title VI of the Civil Rights Act of 1964 (Title VI).

The University assures OCR that the University, including its four Chancellor Led Units (CLUs), New Brunswick, Newark (including Rutgers Law School (the School)), Camden, and Rutgers Biomedical Health Sciences (RBHS), will take the following actions set forth in the Agreement to resolve the compliance concerns OCR has identified under Title VI, as amended, 42 U.S.C. §§ 2000d-2000d-7, and its implementing regulations at 34 C.F.R. Part 100.

This resolution agreement has been entered into voluntarily and does not constitute an admission by the University that the University committed any wrongdoing, including, but not limited to, a violation of Title VI.

Action Item 1: Review of Nondiscrimination Policies and Procedures

- A. The University will review the policies and procedures through which it ensures compliance with the provisions of and enforces Title VI (“Policies and Procedures”) to ensure that they adequately address the Title VI prohibition on discrimination based on race, color, and national origin, including the Title VI Shared Ancestry Classes. During its review, the University will review the relevant Policies and Procedures currently in effect to ensure that they consistently provide for assessment of whether incidents of reported discrimination or harassment based on the Title VI Shared Ancestry Classes alleged to have occurred in connection with a University program or activity have created a hostile environment, including where the conduct may have taken place off campus or on social media and where the conduct may involve protected speech, to the extent such Policies and Procedures do not include such provisions currently.

The University will ensure that its Policies and Procedures include the following provisions:

1. A statement setting forth the University’s commitment to having an environment free from discrimination, including harassment, on the basis of national origin, including shared ancestry or ethnic characteristics, and a commitment to take appropriate action to address and ameliorate such discrimination that occurs under any University program or activity, including when it involves student organizations or social media postings.
2. A statement clarifying that the University’s prohibition of, and commitment to having an environment free from, discrimination, including harassment, on the basis of national origin, including shared ancestry or ethnic characteristics, extends to the University’s programs and activities, including all academic, extra-curricular and University-

sponsored activities.

3. A description of the forms of shared ancestry discrimination that can manifest in the University environment, including examples of discrimination on the bases of shared ancestry and ethnic characteristics.
4. A statement that the University must assess whether each reported incident, if substantiated in whole or in part, has created a hostile environment, whether or not the substantiated conduct occurred off campus or on social media.
5. The name or job title, office, email address, and telephone number for the University employee(s) responsible for receiving and investigating reports of discrimination based on race, color, and national origin, including the Title VI Shared Ancestry Classes, and retaliation.
6. A description of the procedures that will be used to receive, investigate, and resolve complaints, including how to file complaints, the availability of supportive measures, the steps that will be taken as part of the complaint investigation, and notice of the outcome to the complainant. The description of the procedures will include the following:
 - a. A requirement for documented interviews with individuals who have information about the complaint, including but not limited to, the complainant, the person accused of discrimination, witnesses, and anyone mentioned as having, or reasonably expected to have, relevant information.
 - b. Review of any records, notes, statements, or other documents related to the complaint.
 - c. Providing notice of the outcome of the complaint to the complainant(s) following its investigation.
 - d. An expressed commitment that after a finding of discrimination, the University will take appropriate remedial action to eliminate the discriminatory conduct, to prevent its recurrence, and to address its effects on the complainant and any other affected individuals.
7. A statement that, should the University refer incidents of conduct that could constitute discrimination, including harassment, on the basis of national origin, including shared ancestry or ethnic characteristics, to law enforcement, the University will continue to fulfill its obligations under Title VI, including promptly and effectively responding to reports and formal complaints of harassment. The clarification will state that during the pendency of law enforcement inquiry or investigation of alleged harassment on the basis of national origin, including shared ancestry or ethnic characteristics, the University will offer and provide supportive measures for students who allegedly experienced national origin harassment and will take such actions as may be necessary to ensure the safety of any students where it would not interfere with the police investigation (e.g., identifying whether other students were possibly harmed by the alleged harassment and taking action to protect students from further harm). The University further agrees to make reasonable efforts to obtain notice of the outcome of law enforcement's process, including any findings, and ensure that the University completes its own Title VI investigative process

and takes any corrective action deemed appropriate. The University will also include a provision stating that to the extent the University relies upon the findings of a law enforcement report in responding to a complaint or report of national origin harassment by an employee, the University will explain in its own report the entity's findings and how they support the University's findings and corrective actions, and the University will maintain the law enforcement report with its records.

8. A statement that retaliation is prohibited against persons who report discrimination or participate in related proceedings, and how to report retaliation.

B. Reporting Requirements:

1. Within 120 calendar days of the signing of this Agreement, the University will submit to OCR, for review and approval, copies of its Policies and Procedures drafted and/or revised in accordance with Action Item 1 above
2. Within 60 calendar days of OCR's approval of the revised Policies and Procedures, the University will provide documentation to OCR demonstrating that it adopted and disseminated the revised Policies and Procedures to University students and employees through its website, as well as by any other means the University deems effective to ensure that the information is widely disseminated. To the extent the revisions approved by OCR are governed by University Policy 50.1.13, Policy on Policies, the University agrees to implement the revised Policy(ies) on an interim basis, pending completion of the internal procedures required by Policy 50.1.13. In such circumstance, the University will advise all approval levels of which provisions are required by this Agreement and will notify OCR upon completion of the Policy 50.1.13 approval process and the final adoption and associated publication of such Policies.

Action Item 2: Commitments to Address Discrimination, Including Harassment

- A. Within 30 days of the signing of the Agreement, the President of the University or designee will issue a statement to all University students and employees. This statement, and all of the University's annual nondiscrimination notices, will state that the University does not tolerate acts of discrimination, including harassment, on the basis of national origin, including shared ancestry and ethnic characteristics (including shared Jewish, Israeli, Palestinian, Arab, and/or Muslim ancestry and/or the association with these national origins/ancestries), and that the University will take all necessary actions within its control, to address and ameliorate such discrimination. The statement and annual notices will encourage any student or employee who believes they have been subjected to, or have information about, such discrimination to report it to the University with instructions regarding how to do so. The President's statement may refer and/or link to other similar statements issued by the President since the beginning of the 2023-2024 academic year.

B. Reporting Requirement:

Within 30 days of the issuance of the President's statement, and within 30 days of the issuance of the annual nondiscrimination notice for academic year 2025-2026, the University will provide documentation to OCR demonstrating that the statement or notice referenced in

Action Item 2, as applicable, was issued and disseminated to University students and employees.

Action Item 3: Individual Resolutions

A. Student A (Case Number 02-24-2386)

The University will invite Student A to meet with University staff and discuss the impact on their educational environment as a result of the alleged discrimination, including harassment, that they reported during academic year 2023-2024 and identify any steps the University may take to redress the impact of any aspects of Student A's reports that the University substantiated, to the extent they have not been resolved already.

Within 10 days of the meeting, the University will submit for OCR's review and approval, a summary of the information reported by Student A, the University's proposed resolution(s) to redress the harm the Student A reported or an explanation of why the University believes the requested resolution(s) are not warranted. Within 10 days of receipt of OCR's approval of the University's proposed action, the University will offer the proposed resolution(s) to Student A in writing and provided Student A 30 days to respond. If Student A does not respond within 30 days, the University will not be required to offer the proposed resolution(s) in the future.

B. Reporting Requirements:

Within 30 days of receipt of a response from Student A, the University will provide documentation to OCR demonstrating that it offered the resolution approved by OCR to Student A; which, if any, Student A accepted; and that the University provided the resolution(s) accepted by Student A.

Action Item 4: Disciplinary Record Review

A. The University will compile, for academic year 2023-2024, a list of all students, and/or student groups, whom the University notified of the initiation of student conduct proceedings to determine whether such student and/or student group violated the Code of Student Conduct in connection with the receipt of complaint or report alleging discrimination, including harassment, on the basis of Title VI Shared Ancestry Classes,. For each student and/or student group, the University will provide the following (and the accompanying documentation upon request):

1. the student's name, or for student groups, the names of students on the executive board;
2. the student's race/color, and/or national origin/ethnicity/shared ancestry, or for student groups, the race/color, and/or national origin/ethnicity/shared ancestry of students on the executive board, to the extent known;
3. the date of the University's initiation of student conduct proceedings to determine whether such student and/or student group violated the Code of Student Conduct;
4. the provision(s) of the Code of Student Conduct at issue;
5. the steps taken following the initial investigation of the complaint

6. the reason(s) for the University determination as to the appropriate steps to take following the investigation, including reference(s) to the Code of Student Conduct and any other relevant policies or procedures upon which it relied;
7. the name(s) and job title(s) of the individuals involved in making the determination(s) set forth in Action Item 4.A.6;
8. the final outcome of the student conduct proceeding, including any actions taken by the University in response to the complaint, including any disciplinary sanctions and/or services offered or provided to the affected student or student group (e.g., counseling, tutoring, safety measures); and
9. whether the student or student group against whom the University initiated student conduct proceedings, or anyone acting on behalf of the student or student group, had engaged in a protected activity prior to the University's determination of which the University is aware and/or is able to identify after making a reasonable search of its records. A protected activity involves making a complaint, testifying, assisting or participating in any manner in an investigation, proceeding or hearing under the regulations enforced by OCR or similar activities, such as advocating for rights guaranteed by OCR's regulations. OCR enforces federal laws and regulations that prohibit discrimination on the bases of race, color, national origin, disability, sex, and age. OCR is also responsible for enforcing the Boy Scouts of America Equal Access Act.

B. The University agrees to provide copies of all related documentation, including correspondence between University employees and the student or student group, and/or among University employees, relevant policies and procedures, minutes of any formal or informal meetings, notes, internal memoranda, emails, and/or incident reports, summary of investigations and/or witness statements related to the student conduct matters identified in the list referenced in Action Item 4.A. upon request.

Reporting Requirements:

1. By July 1, 2025, the University will provide OCR with an electronic sortable spreadsheet or other file of the University's review of disciplinary incidents, pursuant to Action Item 4.B. At a minimum, the spreadsheet will include separate fields for items 1-9, listed above.

Action Item 5: Investigator Training

- A. By April 1, 2025, the University will provide annual training to all employees responsible for investigating complaints and other reports of discrimination, including harassment, based on the Title VI Shared Ancestry Classes to ensure that the investigators know how to identify relevant witnesses to interview and how to conduct interviews about such harassment. The training will address:
1. the University's obligations under Title VI to respond to alleged discrimination, including harassment, based on Title VI Shared Ancestry Classes;
 2. a review of the University's policies and procedures that focus on investigation of

complaints of discrimination, including harassment, based Title VI Shared Ancestry Classes, including instructions on how to conduct and document thorough and impartial investigations of alleged discrimination, including harassment, based on Title VI Shared Ancestry Classes;

3. a statement that an individual who has reported alleged discrimination, including harassment, must be notified of the steps the University will take in response to the reported incident(s), and guidance to employees on how and when to provide this notification;
4. a description of the steps the University will take in response to the alleged discrimination, including harassment, such as the offer of support for students who are subjected to harassment, the alleged harasser, where appropriate, and remedial measures to ensure that any hostile environment created by the harassment is eliminated; and
5. a description of how to identify possible indications that a complainant or other witness may be experiencing retaliation and how to respond.

B. Reporting Requirements:

By April 15, 2025, the University will provide documentation to OCR demonstrating that the University provided training in accordance with Action Item 5 above, including the date(s) of the training; the name(s) and credentials of the trainer(s); copies of any training materials distributed; the agenda and/or a summary of the material covered; and a list of attendees, by name and job title.

Action Item 6: Rutgers University Police Department Police Officer Training

- A. By May 1, 2025, the University will review, and, where necessary and within the University's control, update the training materials and/or protocols provided to Rutgers University Police Department ("RUPD") Police Officers, taking into consideration that all RUPD Police Officers are University employees and therefore required to complete the annual mandatory online discrimination and harassment training covered by Action Item 6.A.1 below to ensure that such materials and/or protocols address how sworn officers are expected to work with the University's students in a manner consistent with the requirements of Title VI addressed in this Agreement; and how to ensure accurate collection and reporting of data or information, including complaints, regarding public safety officer-student interactions. The University will confirm such training materials address and/or where necessary, update or supplement such training materials and protocols (to the extent within the University's control) to address, at a minimum:
1. the University's obligations under Title VI to respond to alleged discrimination, including harassment, based on Title VI Shared Ancestry Classes;
 2. the policies and procedures applicable to sworn officers related to investigation of alleged bias incidents including those related to alleged bias on the basis of Title VI Shared Ancestry Classes, including instructions on how to conduct and document thorough and impartial investigations of such allegations;

3. a description of the procedures applicable to sworn officers related to coordination with relevant University offices and/or staff responsible for the provision of relevant supportive measures for reporting students; and
4. what to do if a student reports to a sworn officer that the student believes they are being subjected to retaliation.

B. Reporting Requirements:

By May 15, 2025, the University will provide documentation to OCR regarding the provision of training materials and/or protocols provided to RUPD personnel. In accordance with Action Item 6, the University will provide the dates on which the revised training materials and/or protocols are provided to RUPD personnel. In addition, the University and/or each CLU will provide the name(s) and credentials of the individuals involved in updating the training materials and/or protocols; copies of any training materials or revised protocols distributed; the agenda and/or a short summary of the material covered (where applicable); and a description of the means by which the University provided the training and/or distributed the updated protocols.

Action Item 7: Audit for Academic Years 2023-2024 and 2024-2025

- A. By April 15, 2025 for academic year 2023-2024, and September 30, 2025 for academic year 2024-2025, the University will provide to OCR an electronic sortable spreadsheet or other file of the University's responses to all complaints and reports (and the accompanying documentation upon request) alleging discrimination, including harassment, on the basis of national origin, including shared Jewish, Israeli, Palestinian, Arab and/or Muslim ancestry, or association with these national origins/ancestries, during the preceding academic year, to the extent not already provided. At a minimum, the spreadsheet will include separate fields for:
1. the date(s) of receipt of the written complaint or oral report;
 2. the name of the person who provided notice to the University ("the reporter");
 3. the status of the reporter (e.g., professor, student, friend);
 4. the name of the individual who was allegedly discriminated against/harassed ("the complainant");
 5. the status of the complainant (e.g., student, professor, parent, advocate);
 6. the name(s) of the individual(s) who engaged in discrimination/harassment ("the respondent(s)");
 7. the status of the respondent (e.g., student, professor, employee, including if applicable, the respondent's job title (if an employee));
 8. the nature of the alleged harassment (e.g., verbal harassment by students using slurs, physical violence or threats of violence, doxxing of students, and damage to property);
 9. the date(s) of the alleged harassment;
 10. the location(s) of the alleged harassment (e.g., school name, in a particular class, in the library);
 11. the names of any witnesses;
 12. the name(s) and job title(s) of the individual(s) who received and processed the complaint or oral report;

13. the date the investigation commenced (or, where relevant, an explanation of why no investigation commenced);
14. any supportive measures offered to the complainant, respondent, and/or other person;
15. the status of the investigation of the complaint or oral report (e.g., completed, ongoing);
16. the outcome of all completed investigations (*i.e.*, the determination regarding whether or not discrimination, including harassment, on the basis of national origin, including shared Jewish, Israeli, Palestinian, Arab, and/or Muslim ancestry, or association with these national origins/ancestries, took place; and if so, whether the harassment created a hostile environment);
17. a description of the disciplinary sanctions imposed, if any, and date imposed;
18. a description of the remedial measures taken, including the remedies offered and provided to the complainant and/or other individual(s), and if none offered, why;
19. a description of any steps the University took to eliminate and/or prevent the recurrence of a hostile environment created by the incident;
20. the date(s) the University provided written notice of the outcome of the investigation to the parties;
21. the date of any appeal; and
22. the outcome of any appeal.

B. Upon request, the University will provide to OCR within 30 calendar days a copy of the complete investigative file(s), including applicable University records, student disciplinary records, employee disciplinary records, and human resources/personnel files. The data will be produced electronically in a mutually agreed format and will be organized and labeled as individual files, with all relevant documents for an incident.

C. Reporting Requirements:

1. By April 15, 2025 for academic year 2023-2024, and September 30, 2025 for academic year 2024-2025, the University will provide to OCR a copy of the electronic sortable spreadsheet and accompanying documentation (where requested) as required by Action Item 7.A. The University will promptly address OCR's feedback, if any, until the University receives notice from OCR that no further reporting is required for Action Item 7.B.

Action Item 8: Listening Sessions and Climate Assessment and Analysis

A. Listening Sessions

1. By March 30, 2025, the University will conduct listening sessions between relevant University administrators and representatives from the University Hillel, Jewish Law Students Association, and other related affinity groups identified by the University.
2. By March 30, 2025, the University will conduct listening sessions between relevant University administrators and the Muslim Students Association, Muslim Law Students Association, and other related affinity groups identified by the University.

A. By June 15, 2025, the University will develop a climate assessment to students and

employees in the University to evaluate the climate with respect to national origin, including shared Jewish, Palestinian, Arab, Muslim, South Asian, and/or Israeli ancestry, or association with these national origins/ancestries and the extent to which students and/or employees are subjected to, or witness discrimination, including harassment, based on national origin, including shared Jewish, Israeli, Palestinian, Arab, and/or Muslim ancestry, or association with these national origins/ancestries. Any assessment used will contain questions about students' knowledge of discrimination based on shared ancestry, any experiences the student alleges to have had with such discrimination while attending the University, and the student's awareness of the University's complaint procedures for reporting such alleged discrimination. Participation in the assessment by students and employees of the University will be entirely voluntary, and the assessment will be conducted in a manner consistent with applicable law. Finally, part of the University's ongoing climate assessment will include informing students to whom they can report concerns of discrimination on the bases of Title VI Shared Ancestry Classes (including discrimination on the basis of shared Jewish, Palestinian, Arab, Muslim, South Asian, and/or Israeli ancestry, or association with these national origins/ancestries). The climate assessment 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 the survey in person.

- B. By July 1, 2025, the University will submit for OCR's review and approval a description of the tools used for conducting the climate assessment. The description will include the University's strategy for implementing the climate assessment and analyzing the results.
- C. The University will administer the climate survey within 30 days of the beginning of the next semester (i.e., Fall or Spring semester) following receipt of OCR's approval of the proposed climate assessment.
- D. Information gathered during the listening sessions and climate assessment will be used to inform future actions, if any, the University proposes to take to provide an environment that is safe and supportive for all students and in compliance with Title VI. The University will analyze the information gathered in the listening sessions and the results of the climate assessment and, within 120 days of the completion of its analysis of the climate assessment, will prepare and provide to OCR a report summarizing the results of the listening sessions and assessment; and for OCR's review and approval a description of further action(s), if any, the University proposes to take in response to the assessment results. Within 60 days of OCR's approval of the University's proposed action(s), the University will provide an update regarding the University's implementation of these actions, including documentation sufficient to show its implementation of those actions, including a description of the actions taken to date and how they were implemented.

E. Reporting Requirements:

Administration of Climate Assessment:

1. By July 1, 2025, the University will provide to OCR for review and approval a copy of the proposed climate assessment, along with the University's description of how it plans to administer the climate assessment, as set forth in Action Items 8A and 8B.
2. Within 30 days of the beginning of the next semester (i.e., Fall or Spring semester) following receipt of OCR's approval of the climate assessment, the University will administer the climate survey.

Results of Listening Sessions and Climate Assessment:

3. Within 120 days of completing the analysis of the climate assessment results, the University will provide a report to OCR (the Climate Report) that includes, at a minimum:
 - a. documentation demonstrating that the listening sessions and approved assessment were conducted as planned;
 - b. the analysis of the assessment responses;
 - c. and any recommended steps the University could take to improve the University's climate, if applicable;
 - d. conclusions about the climate at the University, separately addressing the climate for students of shared Jewish, Palestinian, Arab, Muslim, South Asian, and/or Israeli ancestry, or association with these national origins/ancestries, or association with these national origins/ancestries, among other student groups at the University; and
 - e. the University's recommended reforms, if any, to its policies, practices, employee training, and education programs regarding harassment on the bases of Title VI Shared Ancestry Classes).
4. Within 120 days of OCR's approval of the University's proposed action(s), the University will provide an update regarding the University's implementation of these actions, including documentation sufficient to show its implementation of those actions, including a description of the actions taken to date and how they were implemented.

Action Item 9: Employees and Student Training

- A. By November 1, 2025, the University will: (i) provide training addressing the University's prohibition of discrimination and harassment based on Title VI Shared Ancestry Classes to all students and (ii) review, and where necessary, update and/or supplement the annual non-discrimination (which includes harassment) mandatory online training provided to all employees to ensure inclusion of the items listed below, to the extent not already included in

such materials,. The University will ensure the training provided to students and training provided to employees address, at a minimum:

1. An explanation that discrimination (including harassment) is prohibited pursuant to University policies and procedures;
2. Examples of the type of conduct and behavior that is covered by the policy, including examples of discrimination (including harassment) based on shared ancestry and ethnic characteristics;
3. An explanation that the University’s policies and procedures may address discrimination (including harassment) that occurs in connection with University programs or activities, including where the conduct may occur off campus or on social media, and examples of where such conduct may rise to the level of a hostile environment;
4. An explanation that employees and students who are aware of harassment should promptly report the harassment to the University using the University’s reporting process;
5. Examples of the type of harassment conduct and behavior that is covered by the University’s Policies and Procedures;
6. A description of the steps the University will take in response to the alleged discrimination, including harassment, even where discipline may not be appropriate; and
7. Notice of how to access the University’s Policies and Procedures.

B. Reporting Requirements:

By January 15, 2026, the University will provide documentation to OCR demonstrating that it provided training in accordance with Action Item 9 above, including the date(s) the University made the training available; the name(s) and credentials of the trainer(s) or individual(s) involved in developing/updating the training materials; copies of any training materials distributed or utilized; the agenda and/or a short summary of the material covered (if applicable); and a description of the means by which the University provided the training.

OCR Monitoring

By signing this Agreement, the University understands and agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the University understands that during the monitoring of the Agreement, if necessary, OCR may visit the University, interview employees and students, and request such additional reports or data as are necessary for OCR to determine whether the University has fulfilled the terms of the Agreement.

The University understands that OCR will not close the monitoring of this Agreement until OCR determines that the University has demonstrated compliance with all the terms of this Agreement and is in compliance with Title VI and its implementing regulation at 34 C.F.R. Part 100, which were at issue in this case.

The University understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (DOJ) for judicial proceedings in the event of breach 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 60 calendar days to cure the alleged breach.

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

12/20/24

Date

A handwritten signature in black ink, appearing to read "John Holloway". The signature is written in a cursive style with a large loop for the letter 'H'.

Authorized Representative
Rutgers University