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

April 4, 2016

Gregory G. Dell'Omo, Ph.D.
Office of the President
Rider University
2083 Lawrenceville Road
Lawrenceville, New Jersey 08648

Re: Case No. 02-16-2156
Rider University

Dear Dr. Dell'Omo:

On March 1, 2016, the U.S. Department of Education, New York Office for Civil Rights (OCR) received the above-referenced complaint filed against Rider University. The complainant alleged that the University failed to promptly and equitably respond to a report of sexual assault that her client (the Student) made on or about Nonresponsive and, as a result, the Student was subjected to a sexually hostile environment (Allegation 1). The complainant also alleged that the University discriminates on the basis of sex, by failing to adopt and publish grievance procedures that provide for the prompt and equitable resolution of student complaints of sex discrimination/harassment, including sexual assault (Allegation 2). OCR has determined that these allegations are appropriate for investigation. Additionally, OCR will investigate whether the University failed to promptly and equitably respond to complaints, reports and/or incidents of sexual assault/violence of which it had notice; and as a result, other students were subjected to a sexually hostile environment (Allegation 3).

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 the allegations for investigation. Please note that opening the allegations for investigation in no way implies that OCR has made a determination with regard to their 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.*

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.

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 regulations 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). Please submit the information listed on the enclosed data request to OCR within twenty (20) days of the date of this letter, or OCR may conduct an onsite file review in order to obtain this information in a timely manner.

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 enclosure to this letter entitled, "OCR Complaint Processing Procedures," and 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 enclosure entitled, "OCR Complaint Processing Procedures," and 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, the complainant 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.

OCR staff will contact you within twenty (20) days of the date of this letter to discuss the complaint resolution process. In the interim, if you have any questions, please contact David Krieger, Compliance Team Attorney, at (646) 428-3893 or david.krieger@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

Data Request
Case No. 02-16-2156
Rider University (the University)
Nonresponsive
Due Date: April 24, 2016

Please provide the following items for academic year 2015-2016, unless otherwise indicated, or state in writing whether any requested material does not exist:

1. (b)(7)(A)

2.

3. (b)(7)(A)

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6. (b)(7)(A)

7.

8. (b)(7)(A)

9. (b)(7)(A)

10 (b)(7)(A)

(b)(7)(A)

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