

**Resolution Agreement  
Duke University  
OCR Complaint No. 11-19-2214**

Duke University submits this Resolution Agreement to the U.S. Department of Education, Office for Civil Rights (OCR) to resolve complaint no. 11-19-2214, in which the complainant alleged that the University discriminated against students on the basis of national origin (shared ancestry, Jewish). The University has policies and procedures in place to address harassment and discrimination, and, as illustrated in its response to the underlying complaint, responds to such incidents consistent with the nondiscrimination laws and principles of free speech and expression. The University is entering into this Resolution Agreement to affirm and bolster that commitment. Nothing in the Resolution Agreement shall be considered, construed, or used as an admission of liability by the University, nor shall it be deemed a concession that the allegations in the underlying complaint implicate Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000e, *et seq.*, and its implementing regulation, 34 C.F.R. Part 100. By entering into this Resolution Agreement, the University does not admit any violation of Title VI with regard to the allegations in the complaint or investigation.

**I. Anti-Harassment Statement**

By January 30, 2020, the President of the University or designee will issue a statement to all University students, faculty, and staff stating that the University does not tolerate acts of discrimination or harassment, including but not limited to on the basis of race or national origin. The statement will specifically say that the University does not tolerate anti-Semitic harassment or discrimination; the statement may provide other examples of types of discrimination and harassment prohibited under its policies. The statement will encourage any student who believes he or she has been subjected to such harassment to report it to the University.

**II. Revision of *Policy on Prohibited Discrimination, Harassment and Related Misconduct***

The University has in place the *Policy on Prohibited Discrimination, Harassment, and Related Misconduct (Policy)*. The University will continue to ensure that the *Policy* addresses and responds to incidents of harassment on the basis of race or

national origin. Under the *Policy*, it will continue to respond to incidents of anti-Semitic harassment or discrimination. To affirm this commitment, the University will take the following actions:

- a. The *Policy* must provide a description of the forms of anti-Semitism that can manifest in the University environment, and may provide a description of other forms of national origin or religious discrimination that can manifest in the University environment.
- b. The University will ensure that all actions undertaken pursuant to this Agreement are consistent with principles of free speech and expression protected by the First Amendment of the U.S. Constitution.

### REPORTING REQUIREMENT

By January 30, 2020, the University will submit to OCR for review and approval a copy of the *Policy*, revised in accordance with item II.a above.

Within 15 days of receipt of notice of OCR's approval of the revised *Policy*, the University will adopt, implement and publish the revised *Policy*. The University will publish the revised *Policy* through its website, as well as by any other means the University deems effective to ensure that the information is widely disseminated.

### III. Meetings

During each of the 2019-2020 and 2020-2021 academic years, the University shall host a meeting in order to provide students, faculty, and staff the opportunity to discuss with select University administrators any concerns they have about incidents of harassment or discrimination prohibited under the *Policy*, including but not limited to anti-Semitic harassment prohibited by the *Policy*, that have occurred within the educational programs and activities of the University. If complaints about specific incidents of such harassment are identified during the meetings, the University will take appropriate steps to address the complaints and respond to the incidents.

### IV. Training

For the 2019-20 and 2020-21 academic years, each new training module and/or orientation session that the University offers to or requires of students, faculty, and staff concerning the *Policy* and its implementation shall include a component on

race or national origin discrimination, shared or perceived ancestry, including but not limited to anti-Semitic harassment.

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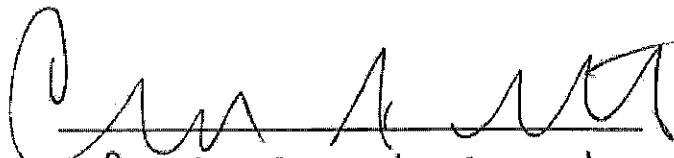
The University understands that by signing this Agreement, it agrees to provide the aforementioned information in a timely manner, in accordance with the reporting requirements of this Agreement. Further, the University understands that during the monitoring of this agreement, if necessary, OCR may visit the University, interview students, faculty, and/or staff, 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 Title VI and its implementing regulation at 34 C.F.R. Part 100.

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 will give the University written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

This Agreement becomes effective immediately upon its execution by the University's representative. Upon completion of the University's obligations under this Agreement, OCR shall close this case.

Dated:

12/3/19

  
Deputy General Counsel