



Office of Employment Equity
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July 31, 2018

Executive Dean Peter March
Rutgers University
School of Arts and Sciences - Dean's Office
77 Hamilton Street, Room 102
New Brunswick, New Jersey 08901-1248

Re: Letter of Determination – Complaint Pursuant to the University Policy Prohibiting
Discrimination and Harassment – University Action/Professor James Livingston
Case No. 2018-44

Dear Executive Dean March,

This letter will set forth my determination as to the above matter.

This investigation was conducted by Ms. Carolyn Dellatore, Associate Director, Office of Employment Equity, pursuant to the Discrimination and Harassment, Workplace Violence, Sexual Misconduct and Retaliation Complaint Process, and the Policy Prohibiting Discrimination and Harassment, in response to various complaints brought against James Livingston, Professor of History, School of Arts and Sciences, New Brunswick, for posting allegedly racist content on his social media account. Professor Livingston admitted that he wrote the posts at issue but alleged that they were satirical and not a true expression of racism. He also argued that he had a First Amendment right to make the statements in question.

Based on the facts set forth in Ms. Dellatore's Investigation Report, and pursuant to the Policy Prohibiting Discrimination and Harassment, I find that Professor James Livingston violated that Policy.

Sincerely,

/s/ Lisa Grosskreutz

Lisa Grosskreutz
Director
Office of Employment Equity
Cc: Professor James Livingston