

RESOLUTION AGREEMENT
Georgia State University, GA.
OCR Complaint #04-09-2194

In order to resolve the issue in Complaint #04-09-2194 in accordance with Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §2000d, and its implementing regulations at 34 C.F.R. Part 100, Georgia State University (University) enters into this agreement with the U.S. Department (Department), Office for Civil Rights (OCR).

This resolution has been entered into voluntarily by the University and does not constitute an admission that the University is not in compliance with Title VI and/or its implementing regulation. Accordingly, to ensure compliance with Title VI and its implementing regulation and to resolve the issues of this investigation, the University voluntarily agrees to the following:

Policy Revisions

1. The University has revised its Student Code of Conduct and Administrative Policies (Code) to ensure that the Code's provisions regarding discrimination and harassment are in compliance with Title VI of the Civil Rights Act of 1964 (Title VI), Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973 (Section 504), Title II of the Americans with Disabilities Act of 1990 (Title II), and the Age Discrimination Act of 1975 (Age Act). The University has amended the Code as follows:
 - a. removed the use of the "fighting words" criterion.
 - b. ensured that the Code provides for notice to complainants of the determination of the investigation and sanctions as permitted by the Family Educational Rights and Privacy Act (FERPA) and consistent with OCR's April 4, 2011, Dear Colleague Letter.
 - c. ensured that the Code provides the parties the right to appeal a determination, consistent with the April 4, 2011, Dear Colleague Letter; and
 - d. confirmed a commitment to promptly investigate reports of harassment and to take prompt, tailored action(s), as appropriate, consistent with the April 4, 2011, Dear Colleague Letter to end and redress any harassment.

Reporting Requirement: The University has provided OCR with a copy of its revised Code showing its effective date.

2. The University has disseminated the revised Code and published it on its website together with the identities and contact information for the person, title or office responsible for administering the Code and the instructional staff. The University's annual training on discrimination and harassment for those responsible for administering the Code and the University's instructional staff will include training on the provisions of the revised Code.

Reporting Requirement: The University has provided OCR with documentation evidencing the dissemination and publication of the revised Code.

Reporting Requirement: The University has demonstrated that it has conducted the annual training incorporating the revised Code.

The University understands that by signing this Agreement, it agrees to provide data and other 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 staff and students, 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 the regulation implementing Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. § 2000d, at 34 C.F.R. § 100.3(a) and (b)(1)(iv), which was at issue in this case.

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 shall give the University written notice of the alleged breach and a minimum of sixty (60) days to cure the alleged breach.

This Agreement shall become effective immediately under the signature of the individual or his/her designee, indicated below. The University understands that OCR will not close the monitoring of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with the regulation implementing Title VI of the Civil Rights Act of 1964, at 34 C.F.R. § 100.3(a) and (b)(1)(iv), which was at issue in this case.

President or Designee

Date