

**Resolution Agreement  
Northwood University  
OCR Docket No. 15-13-2147**

Northwood University (the University) voluntarily submits the following agreement to the U.S. Department of Education (Department), Office for Civil Rights (OCR), to ensure compliance with Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106, and to resolve the above-referenced complaint. Accordingly, the University agrees to take the following actions:

**University-wide Remedies**

1. By September 30, 2014, the University will revise its Student Harassment & Violence Policy (the policy). The revised policy will include, at a minimum, the following:
  - a. A statement of the school's jurisdiction over Title IX complaints.
  - b. Clarification that the policy applies to all forms of discrimination based on race, color, gender, national origin, age, and disability, not only harassment on these bases.
  - c. A clarification that both parties have the opportunity to present witnesses and other evidence.
  - d. A designation of reasonably prompt timeframes for the major stages of the University's investigation, including the University's appeal process and the provision of notice of the outcome of the investigation to the parties.
  - e. Clear and consistent assurance that, in addition to stopping discrimination found to have occurred, the University will remedy the discriminatory effects on the complainant and others, and take steps to prevent recurrence.
  - f. A clarification that the University will not allow conflicts of interest (real or perceived) by those handling the investigations.
  - g. A clarification that evidence of past relationships between the parties will not be considered in the investigation of sexual harassment.
  - h. Provisions for confidential reporting of complaints of sexual harassment and the name and contact information of the employee responsible for evaluating requests of confidentiality.
  - i. A clarification that complainants have the right to file criminal complaints simultaneously with a Title IX complaint to the University.
  - j. A clarification that, for harassment complaints, the University will implement appropriate interim steps during its investigation period to provide for the safety of the victim(s) and the campus community and to avoid retaliation, and clarification that such interim steps will not be at the detriment of the complainant.

- k. Contact information (i.e., name, title, address, telephone number) for the individual with whom complaints can be filed if the complaint is against the University's Human Rights representative.
- l. Current contact information for the OCR regional office in Cleveland, Ohio, to replace the information for OCR headquarters listed in the policy.

**Reporting Requirements:** By September 30, 2014, the University will submit to OCR the policy revised as described in Item #1 for review and approval.

2. Within 60 calendar days of the University's receipt of the OCR-approved revised policy, the University will:
  - a. Adopt and implement the OCR-approved revised policy, publish it on its website, and include it in its student handbook, with notice and availability to staff and faculty. The University may add inserts to any existing handbooks and distribute those inserts to students, staff, and faculty until such time as the hard copy handbooks may be appropriately updated. The University will further notify students, staff, and faculty of where copies of the revised policy may be obtained.
  - b. Provide training to all University human resources (HR) staff regarding sexual discrimination and harassment. The training will address, specifically, the types of sex discrimination prohibited under Title IX, the responsibility of staff to report incidents of possible discrimination and harassment, and the procedures for doing so. The training will also address the need to notify students at regular intervals of the status of the investigation and to maintain documentation of any proceedings. Additionally, the training will address the University's obligation to provide notice to both parties of the outcome of the investigation. The training will further review the content of the University's policy revised per Item #1 above. This training will be conducted by a person knowledgeable and trained about these subjects. The University may request that OCR provide the portion of the training concerning Title IX's requirements, but not concerning the University's revised policy.
3. Within 90 calendar days of the University's receipt of the OCR-approved revised policy, the University will provide training to its remaining administrators and staff regarding sexual discrimination and harassment. This training may be completed on-line. The training will address, specifically, the types of sex discrimination prohibited under Title IX, the responsibility of staff to report incidents of possible discrimination and harassment, and the procedures for doing so. The training will also address the need to notify students at regular intervals of the status of the investigation and to maintain documentation of any proceedings. Additionally, the training will address the University's obligation to provide notice to both parties of the outcome of the investigation. The training will further review the content of the University's policy revised per Item #1 above. This training will be developed using the training materials provided to the HR staff.

**Reporting Requirements:** Within 90 calendar days of the University's receipt of the OCR-approved revised policy, the University will provide documentation to OCR to verify its implementation of Items #2-3 above. Specifically, the University will provide OCR with a link to the revised policy on the University's website; a copy of the student handbook containing the revised policy or temporary insert; a description of the means used to provide notice to students, faculty, and staff of the University's new policy and copies of any notices issued; the date(s) of the HR training(s); sign-in sheets showing the names and job titles of all persons who attended the HR training; a copy of the final training agenda and training materials used at HR training, including any handouts; materials from the on-line training; and a statement verifying the number and percentage of staff members who have completed the on-line training.

### **General Requirements**

The University understands that OCR will not close the monitoring of this agreement until OCR determines that the University has fulfilled the terms of this agreement and is in compliance with Title IX and its implementing regulation at 34 C.F.R. § 106.8(b), which was at issue in this complaint investigation.

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 Title IX and its implementing regulation at 34 C.F.R. § 106.8(b).

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) calendar days to cure the alleged breach.

The undersigned has voluntarily executed this Agreement without any admission or finding of wrongdoing or liability.

/s/

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KEITH PRETTY  
Northwood University President

Date: 7/30/2014