

Resolution Agreement
Massachusetts College of Art and Design
OCR Complaint No. 01-17-2226

Massachusetts College of Art and Design (College) has entered into this Resolution Agreement (Agreement) pursuant to Section 302 of OCR's *Case Processing Manual* to resolve the concern(s) that OCR identified in the above-referenced complaint; OCR has not made a violation finding in this matter. The College assures that it will take the action(s) below.

Action Item 1

By May 1, 2021, the College will develop and disseminate a memorandum to the College's Title IX Coordinator, as well as all College administrators, regarding the College's obligations under Title IX to provide a prompt and equitable resolution with respect to complaints of sexual harassment and sexual violence. The memorandum shall comply with the terms of the Title IX regulations promulgated by the Department on May 19, 2020, at 85 FR 30026, and will discuss, at a minimum, and with respect to a Title IX resolution process for formal complaints, the College's obligations to: promptly process complaints, including allowing no more than a temporary delay for good cause with written notice to the complainant and the respondent if there is any delay or extension and the reasons for the action, particularly when staff, employees, and/or contractors involved in the resolution process are on a part-time, reduced, and/or leave schedule.

Reporting Requirement for Action Item 1

By June 1, 2021, the College will provide OCR with a copy of the memorandum disseminated pursuant to Action Item 1.

Action Item 2

By June 1, 2021, the College will identify all complaints of sexual harassment being processed as of the date of this Agreement, which were assigned to staff, employees, and/or contractors who were on a part-time, reduced schedule, and/or leave schedule. For each complaint, the College will assess whether the complaint was processed or is being processed in a prompt manner and with no more than a temporary delay for good cause shown; whether notice of any delay was communicated to both parties; and whether further action is required to ensure prompt processing consistent with the terms of the Title IX regulations promulgated by the Department on May 19, 2020, at 85 FR 30026.

Reporting Requirement for Action Item 2

By July 1, 2021, the College will provide to OCR a list of complaints identified in Action Item 2; the College's written assessments for each complaint, consistent with this Agreement; and documentary evidence of any responsive action taken to comport with the terms of the Title IX regulations promulgated by the Department on May 19, 2020, at 85 FR 30026.

The College 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 the Agreement. Further, the College understands that during the monitoring of this Agreement, if necessary, OCR may visit the College, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the College has fulfilled the terms and obligations of this Agreement. Upon the College’s satisfaction of the terms and obligations made under the Agreement, OCR will close the case.

The College understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR shall give the College written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

The Agreement will become effective immediately upon the signature of the College’s representative below.

By: _____ “/s” _____ Kymberly N. Pinder _____ Date: _____ 4/28/21 _____

Typed Name: _____ Dr. Kymberly N. Pinder _____

Title: _____ Acting President _____