

RESOLUTION AGREEMENT
Porter and Chester Institute
OCR Complaint No. 01-21-2215

The Porter and Chester Institute (Institute) has voluntarily entered into this agreement to resolve the allegations in the above-referenced complaint prior to the completion of OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*. The Institute assures OCR that it will take the following actions.

Action Item 1

The Institute will develop/review and revise as necessary its Title IX grievance procedures to ensure they provide for:

- a. the prompt and equitable resolution of student and employee complaints of sex discrimination other than formal complaints of sexual harassment, and
- b. notice of how to report or file a complaint of sex discrimination and how the Institute will respond.

Reporting Requirements:

1. By **May 1, 2022**, the Institute will submit the grievance procedures referenced in Action Item 1 to OCR for its review and approval.
2. Within thirty (30) calendar days of OCR's approval, the Institute will adopt, implement, and publish the revised grievance procedures. The Institute will make the grievance procedures available through the Institute's website and any other additional means of notification the Institute deems effective to ensure that the information is disseminated to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the Institute.
3. Fifteen (15) days after the adoption, implementation, and publication of the revised grievance procedures, the Institute will provide OCR with documentation that it has completed this item, including copies of any written notices, publications (such as student handbooks), and/or links to any websites containing the policy.

Action Item 2

The Institute will develop/review and revise as necessary its procedures for:

- a. qualified individuals with disabilities to request reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability; and
- b. the Institute to respond to such requests.

Reporting Requirements:

1. By **May 1, 2022**, the Institute will submit the procedures referenced in Action Item 2 to OCR for its review and approval.
2. Within thirty (30) calendar days of OCR's approval, the Institute will adopt, implement, and publish the revised procedures. The Institute will make the procedures available through the Institute's website and any other additional means of notification the Institute deems effective to ensure that the information is disseminated to qualified individuals with disabilities.
3. Fifteen (15) days after the adoption, implementation, and publication of the revised procedures, the Institute will provide OCR with documentation that it has completed this item, including copies of any written notices, publications (such as student handbooks), and/or links to any websites containing the policy.

Action Item 3

The Institute will update its website and other publications, as applicable, to ensure they prominently and accurately identify and provide required contact information for the Institute's Section 504 and Title IX Coordinator(s), in accordance with 34 C.F.R. Sections 104.8(a), 106.8(a), and 106.8(b)(2)(i).

Reporting Requirements

1. By **May 1, 2022**, the Institute will provide OCR with proof that its website and other publications, as applicable, have been updated per Action Item 3.

Action Item 4

The Institute will provide training to all Institute staff and faculty on the grievance procedures described in Action Item 1, including what conduct is prohibited by the procedure and when and how to properly report any such conduct to appropriate Institute employee(s). The training will also notify attendees of revisions made to the Institute's website and other publications, as applicable, regarding the Institute's Title IX Coordinator(s), as referenced in Action Item 3.

Reporting Requirements

1. **Within 30 days of OCR's approval of the grievance procedures described in Action Item 1**, the Institute will provide, for OCR's review and approval, a copy of the training materials it will use, as well as the credentials of the trainer/presenter.
2. **Within 15 days of the completion of the training required by this Action Item**, the Institute will provide to OCR:
 - a. A list of the individuals who attended the training and their positions;
 - b. The date(s) the training was conducted; and
 - c. Copies of any training materials disseminated.

Action Item 5

The Institute will provide training to all Institute staff and faculty on the procedures described in Action Item 2.¹ The training will also notify attendees of revisions made to the Institute’s website and other publications, as applicable, regarding the Institute’s Section 504 Coordinator(s), as referenced in Action Item 3.

Reporting Requirements

1. **Within 30 days of OCR’s approval of the procedures described in Action Item 2**, the Institute will provide, for OCR’s review and approval, a copy of the training materials it will use, as well as the credentials of the trainer/presenter.
2. **Within 15 days of the completion of the training required by this Action Item**, the Institute will provide to OCR:
 - d. A list of the individuals who attended the training and their positions;
 - e. The date(s) the training was conducted; and
 - f. Copies of any training materials disseminated.

Action Item 6

By **March 1, 2022**, the Institute will reimburse the Complainant for all tuition and fees related to the XXXXX Institute courses that she did not successfully complete during the XXXXXXXXXX Term. If the Complainant has not yet satisfied her financial obligations to the Institute regarding such tuition and fees, the Institute will fully discharge, and not seek satisfaction of, such obligations. The Institute will revise the Complainant’s transcript to state that these courses are “Incomplete,” rather than “XXXXXX” or “XXXXXXX.”

Reporting Requirement:

By **April 1, 2022**, the Institute will provide documentation to OCR demonstrating that it has fulfilled this provision.

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

The Institute 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 Recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

¹ This training may, but need not, be conducted concurrent with the training referenced in Action Item 4.

