

RESOLUTION AGREEMENT

**The City University of New York,
Borough of Manhattan Community College (BMCC)
OCR Docket No. 02-13-2341**

In order to resolve Case No. 02-13-2341, BMCC assures the U.S. Department of Education, New York Office for Civil Rights (OCR), that it will take the actions detailed below pursuant to the requirements of Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106.

Action Item 1: Notices of Nondiscrimination

By February 28, 2014, BMCC will revise its existing notice of nondiscrimination to include a statement that inquiries concerning the application of Title IX and its implementing regulation may be referred to the designated Title IX Coordinator or to OCR. Additionally, BMCC will ensure that the notice of nondiscrimination is included in each announcement, bulletin, catalog, or application form which the College makes available to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the College, or which otherwise is used in connection with the recruitment of students or employees.

Reporting Requirement: By March 14, 2014, BMCC will provide documentation to OCR demonstrating compliance with Action Item 1; e.g., copies of the printed versions of all publications disseminated to individuals identified in Action Item 1, or printouts or a link to all on-line publications containing the notice. Additionally, BMCC will provide copies of applications for employment containing the appropriate notice. Inserts may be used pending reprinting of these publications.

BMCC 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 regulations implementing Title IX, at 34 C.F.R. §106.9, which was at issue in this case. BMCC also 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, BMCC understands that during the monitoring of this agreement, if necessary, OCR may visit BMCC, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether BMCC has fulfilled the terms of this agreement and is in compliance with the regulation implementing Title IX, at 34 C.F.R. §106.9, which was at issue in this case. BMCC 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 proceeding to enforce this agreement, OCR shall give BMCC written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

December 18, 2013
Date

/s/
[authorized Official]
Borough of Manhattan Community College