

RESOLUTION AGREEMENT

School of Visual Arts Case No. 02-18-2156

In order to resolve Case No. 02-18-2156, the School of Visual Arts (the School) assures the U.S. Department of Education, 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), as amended, 20 U.S.C. § 1681 et seq., and its implementing regulation at 34 C.F.R. Part 106.

Action Item A: Notice of Non-Discrimination

By October 31, 2018, the School will revise all of its current notices of non-discrimination, as necessary, to ensure that these include a statement that inquiries concerning the application of Title IX and its implementing regulation may be referred to the School's Title IX Coordinator or OCR. The School will broadly publish its revised notice of non-discrimination, consistent with the requirements of the regulation implementing Title IX, at 34 C.F.R. § 106.9, and include the notice on its website and in each announcement, bulletin (including the student and employee handbooks), catalog, or application form that it makes available to applicants for admission and employment, students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the School.

Reporting Requirement: By November 15, 2018, the School will provide documentation to OCR demonstrating its compliance with Action Item A, including copies of the printed versions (or a link to the on-line versions) of all publications disseminated to individuals identified in Action Item A.

Action Item B: Grievance Procedures

By October 31, 2018, the School will revise its Policy Against Sex-Based Discrimination, Harassment, and Sexual Misconduct (the Policy) to add reasonably prompt timeframes under which the School will endeavor to conduct all major stages of the grievance process. The revised Policy will also ensure that parties participating in an informal mediation process will be notified of their right to end the informal process and begin the formal process at any time.

The School will adopt the revised Policy within 45 days after receiving approval from OCR.

Reporting Requirements:

- a) By November 15, 2018, the School will provide to OCR, for review and approval, its revised Policy developed in accordance with Action Item B above.
- b) Within 45 calendar days of written notification from OCR of its approval of the revised Policy, the School will provide documentation to OCR demonstrating that the revised Policy was adopted and implemented and that all faculty, staff and students were provided with written notice regarding the revised Policy together with

information on how to obtain a copy of the Policy. The School, at a minimum, will make this notification through the School's website; email messages to faculty, staff and students; and, any regularly issued newsletters (in print or online), as well as by any other additional means of notification the School deems effective to ensure that the information is widely disseminated and easily located. The School will also provide to OCR copies of or a link to its revised student handbooks and any other publications that contain the Policy, and a link to its webpage where the revised Policy is otherwise located.

Action Item C: Complainant's Counterclaim

By November 15, 2018, the adjudication panel that made the determination on February 6, 2018, regarding the complainant's challenge to the Title IX Coordinator's December 7, 2017 Final Notice of Determination will reconvene and make a formal determination regarding the complainant's counterclaim against the reporting party; notify the complainant and the reporting party of its determination; and provide the complainant and the reporting party an opportunity to appeal the adjudication panel's determination.

Reporting Requirements:

- a) By November 30, 2018, the School will provide to OCR copies of the adjudication panel's determination on the complainant's counterclaim and the notifications of the determination to the complainant and reporting party, including the opportunity to appeal the adjudication panel's determination in accordance with Action Item C above.
- b) Should either party appeal the adjudication panel's determination, then by December 31, 2018, the School will provide to OCR copies of the appeal and the appeal panel's determination.

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

The School 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 will give the School written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the School's representative below.

9/18/2018

Date

/S/

David Rhodes

President

School of Visual Arts