

## **RESOLUTION AGREEMENT**

### **Syracuse University Case No. 02-18-2198**

In order to resolve Case No. 02-18-2198, Syracuse University (the University) 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.

OCR has made no findings that the University violated Title IX or its implementing regulation, and the University denies any such violation.

#### **Action Item 1: Complaint Investigation**

By November 1, 2018, the University will complete an investigation of the Student's report that another student ("Student A") made threats against the Student; and the Student's report that Student A had provided false information to the University, which led to the issuance of a no-contact order. The University will ensure that the investigation complies with the University's procedure for investigating complaints of student misconduct contained within the University's Code of Student Conduct; and, involves, at a minimum, the following: providing the Student with an opportunity to provide additional information or identify any other witnesses relevant to the Student's reports; conducting a detailed review of all information the Student previously provided regarding the reports described above; interviewing the Student, Student A, and all witnesses, as appropriate; and, making a determination of whether the evidence presented, together with such additional information and witnesses as may be identified or presented, support a finding that Student A violated any provision of the University's Code(s) of Student Conduct. The outcome of the investigation will be communicated to the parties in accordance with the University's procedures for investigating complaints of student misconduct.

**Reporting Requirement:** By December 1, 2018, the University will submit to OCR, for review, a report documenting the procedures used to conduct its investigation, as well as the outcome of the investigation, including an explanation for the University's determination; proof that notice of the outcome was provided to the Student and Student A; any interim measures, and/or corrective actions deemed necessary (e.g., discipline, counseling, revision of the Student's disciplinary records, etc.); and, a timeline for implementation of the corrective actions, if necessary. The University will also provide all documentation obtained relevant to the investigation.

#### **Action Item 2: Training**

The University maintains that it has provided and will continue to provide, on at least an annual basis, training to staff within its Department of Public Safety (DPS) and the Office of Student Rights and Responsibilities (OSRR) responsible for responding to and/or investigating complaints alleging a violation of the University's Code of Conduct regarding Title IX's prohibition against discrimination on the basis of sex, including (a) that discrimination on the

basis of sex is prohibited and will not be tolerated; and (b) what types of conduct constitute discrimination. The training will also include instruction on the University's procedures for responding to complaints alleging a violation of the University's Code of Conduct, including how to conduct adequate, reliable and impartial investigations. By December 31, 2018, the University will provide such training for academic year 2018-2019.

**Reporting Requirement:** By January 31, 2019, the University will provide documentation to OCR demonstrating that training was provided consistent with Action Item 2 above, including (a) the name(s) of the individual(s) who conducted the training; (b) a list of the individuals who attended the training and their positions; (c) the date(s) the training was conducted; and, (d) copies of any training materials disseminated. Documentation regarding training provided to University staff before the date of this Agreement may be submitted in response to Action Item 2, in addition to documentation regarding the next training session(s) that will cover information consistent with Action Item 2 above. All information provided will be reviewed by OCR to determine whether it is compliant.

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. Upon the University's satisfaction of the commitments made under this Agreement, OCR will close this case.

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 will give the University 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 University's representative below.

September 21, 2018

/s/

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Date

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Daniel J. French  
Senior Vice President and General Counsel  
Syracuse University