

RESOLUTION AGREEMENT

Excelsior College OCR Case No. 02-20-2062

In order to resolve Case No. 02-20-2062, the Excelsior College (the College) 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), 20 U.S.C. § 1681, and its implementing regulations at 34 C.F.R. Part 106.

The College has represented to OCR that the following are Sex-Preferred Donor Scholarships:

- Dr. Jane LeClair '94 '95 Scholarship Fund for Students in Technology
- Stephen Pribyl Scholarship Fund

Action Item:

The College agrees to take one of the following steps for each Sex-Preferred Donor Scholarship:

- (1) The College will cease to offer the scholarship; or
- (2) The College will remove the sex preference to the scholarship and will take the steps necessary to communicate effectively that the scholarship is offered without regard to sex; or
- (3) The College can offer the scholarship as a sex-restricted scholarship, but will develop and use procedures that ensure the nondiscriminatory awarding of assistance, to wit: (a) students must be selected for award of financial assistance on the basis of nondiscriminatory criteria and not on the basis of availability of funds restricted to members of a particular sex; (b) an appropriate sex-restricted scholarship, fellowship or other form of financial assistance must be allocated to each student selected; and (c) no student shall be denied the award of financial assistance for which he or she was selected because of the absence of a scholarship, fellowship, or other form of financial assistance designated for a member of that student's sex, as specified in 34 C.F.R. 106.37(b)(2).

Reporting Requirements:

1. By February 28, 2021, the College will submit a report to OCR that states for each Sex-Preferred Donor Scholarship whether it opted to implement Action Item (1), (2), or (3), and include documentation demonstrating that the College has met the requirements of Action Item (1), (2) or (3), as appropriate.
2. Further, by February 15, 2022, for each Sex-Restricted Donor Scholarship for which the College elects to proceed with Action Item (3), the College will submit a report to OCR that documents its actual award of financial assistance utilizing the procedures developed.

The College understands that by signing this resolution agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. Further, the College understands that during the monitoring of the resolution 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 the resolution agreement. Upon the College's satisfaction of the commitments made under the resolution agreement, OCR will close this case.

The College understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the resolution agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the College 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 College's representative below.

2/3/21

Date

/s/

Authorized Representative
Excelsior College