

**Voluntary Resolution Agreement**  
**University of Baltimore**  
**OCR Docket Number 03142055**

To resolve the allegations in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations at 34 C.F.R. Part 106, University of Baltimore (the University) enters into this voluntary resolution agreement (Agreement) and commits to implement the provisions set forth in this Agreement.

**ACTION STEPS**

**Sexual Harassment Grievance Procedures**

1. Recognizing that Title IX does not require a separate sexual harassment complaint procedure, the University assures OCR that if it chooses to maintain a separate sexual harassment complaint procedure, it will comply with the following requirements. By September 1, 2014, the University will submit to OCR for its review and approval revised grievance procedures to address complaints of sexual harassment. The University will ensure that these procedures provide for the prompt and equitable resolution of complaints alleging sexual harassment and will include, at a minimum, the following:
  - a. notice to students and employees of the grievance procedures, including where complaints may be filed;
  - b. application of the grievance procedures to complaints filed by students or on their behalf alleging discrimination or sexual harassment (including sexual violence) carried out by employees, other students, or third parties;
  - c. provisions for adequate, reliable, and impartial investigation of complaints, including the opportunity for both the complainant and alleged perpetrator to present witnesses and evidence;
  - d. designated and reasonably prompt time frames for the major stages of the complaint process;
  - e. written notice to the complainant and alleged perpetrator of the outcome of the complaint;
  - f. assurance that the school will take steps to prevent recurrence of any sexual violence and remedy discriminatory effects on the complainant and others, if appropriate;
  - g. a statement of the University's jurisdiction over Title IX complaints;
  - h. adequate definitions of sexual harassment (which includes sexual violence) and an explanation as to when such conduct creates a hostile environment;
  - i. reporting policies and protocols, including provisions for confidential reporting;
  - j. identification of the employee or employees responsible for evaluating requests for confidentiality;
  - k. notice that Title IX prohibits retaliation;

- l. notice of a student’s right to file a criminal complaint and a Title IX complaint simultaneously;
  - m. notice of available interim measures that may be taken to protect the student in the educational setting;
  - n. a statement that preponderance of the evidence (i.e., more likely than not that sexual violence occurred) will be the standard used in investigating a complaint;
  - o. notice of potential remedies for students;
  - p. notice of potential sanctions against perpetrators; and
  - q. sources of counseling, advocacy, and support.
2. Within 60 calendar days of written notification from OCR that the revised grievance procedures developed in accordance with Action Step 1 above are consistent with Title IX requirements, the University will adopt and implement the procedures and will provide all students and employees with written notice regarding the new grievance procedures for resolving Title IX sexual harassment complaints together with information on how to obtain a copy of the grievance procedures. The University, at a minimum, will make this notification through the University’s website, electronic mail messages to employees and students, and any regularly issued newsletters (in print or online), as well as by any other additional means of notification the University deems effective to ensure that the information is widely disseminated.

### **Notice of Non-Discrimination**

3. By August 1, 2014, the College will submit to OCR for review and approval its notice of non-discrimination pursuant to 34 C.F.R. §§ 106.9, which will notify students, employees, and other relevant persons that it does not discriminate on the basis of sex in the education programs or activities that it operates and that it is required by Title IX not to discriminate in such a manner. The notice will state that inquiries concerning the application of Title IX should be referred to the Title IX Coordinator, as appropriate, and it shall include the name or title, office address, and telephone number for the University’s Title IX Coordinators. The University will publish this notice consistent with the requirements of Title IX at 34 C.F.R. § 106.9.
4. Within 60 calendar days of receiving written notification from OCR that the College’s notice of non-discrimination complies with Title IX, the University will ensure that, to the extent required by Title IX at 34 C.F.R. § 106.9, each of its electronic and printed publications of general distribution that provide information to employees and students about University services and policies contain the notice of non-discrimination. Inserts may be used pending reprinting of these publications.

### **Title IX Coordinator**

5. By August 1, 2014, the College will ensure that it has designated one or more employees to coordinate the University’s efforts to comply with Title IX and will publish this individual’s name or title, office address, and telephone number consistent with the

requirements of Title IX at 34 C.F.R. § 106.8(a). If the University opts to designate more than one such coordinator, its publications will make clear the scope of each coordinator’s responsibilities (e.g., who will handle complaints by students, administrators and staff), and will designate one coordinator, who will be titled “Title IX Coordinator” and who will have ultimate oversight responsibility over the other coordinators, whose titles will clearly indicate that they are in a deputy or supporting role to the Title IX Coordinator. Inserts may be used pending reprinting of the publications.

6. By August 1, 2014, the University will develop a job description and corresponding training requirements for its Title IX Coordinator and, as appropriate, any deputy coordinators. The job description and corresponding training will cover the investigation of Title IX complaints filed by students, staff, and faculty and the responsibility of the Title IX Coordinator to regularly develop and participate in activities designed to raise awareness within the University regarding sex discrimination (including sexual harassment, sexual assault, and sexual violence), the existence of OCR and its responsibility to enforce Title IX, and the University’s policies and procedures regarding such matters. If the University opts to designate additional coordinators to assist the Title IX Coordinator, it will make clear the scope of each coordinator’s duties and will ensure that the Title IX Coordinator has ultimate oversight responsibility over the other coordinators, which will be clearly stated in that coordinator’s job description.
7. By August 15, 2014, the University will provide OCR with name/title of the person(s) designated as the Title IX Coordinator(s), including the address and contact information, job description and training program developed pursuant to Action Steps #5 and 6.

The University understands that OCR will not close the monitoring of this Agreement until it determines that the University has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Title IX at 34 C.F.R. §§ 106.8 and 106.9.

The University understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the University understands that during the monitoring of this Agreement, 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 and is in compliance with the regulations implementing Title IX, at 34 C.F.R. §§ 106.8 and 106.9 which were at issue in this complaint.

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 shall give the University written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

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7/2/14

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President or President’s Designee  
University of Baltimore

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Date