

## RESOLUTION AGREEMENT

### Millersville University Docket #03-16-2126

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OCR and Millersville University (the University) enter into this Resolution Agreement (Agreement) to resolve the above-referenced complaint. This agreement does not constitute an admission of liability by the University. The University assures OCR that it will take the following actions to comply with the requirements of Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any program or activity receiving Federal financial assistance from the Department.

#### **ACTION STEPS**

##### **Title IX Grievance Procedures**

1. To ensure that the University is providing an adequate, reliable, and impartial investigation of complaints of sex discrimination, including sexual harassment or sexual violence, the University will revise its Title IX/Sexual Misconduct policy and procedure to include clearly defined roles for the Title IX Coordinator, Deputy Title IX Coordinators, Judicial Affairs Director, investigators, Administrative Hearing Panels (if applicable), Hearing Officer(s), and Judicial Advocates. The University will identify the role and responsibilities of each member when a complaint of sex discrimination has been filed and will ensure that no conflict of interest is present during the handling of such complaints.
2. The University will include a statement in its Title IX/Sexual Misconduct policy and procedure that provides an assurance that when it receives a complaint of sexual harassment, including sexual assault or sexual violence, the University will take prompt and effective steps to end the harassment and prevent its recurrence and remedy the discriminatory effects on the victim and others, as appropriate.

##### **Reporting Requirements:**

- a. By April 2, 2018, the University will provide for OCR's review and approval a draft of the revised Title IX/Sexual Misconduct policy and procedure. The Title IX/Sexual Misconduct policy and procedure addresses complaints alleging discrimination on the basis of sex (including sexual harassment and sexual assault), which involve students. OCR will review the Title IX/Sexual Misconduct policy and procedure in order to ensure that it complies with the requirements of Title IX and this Agreement.
- b. Within 75 calendar days of OCR's approval of the revised procedures, the Title IX Coordinator will certify to OCR that the University: (1) has formally adopted the revised Title IX/Sexual Misconduct policy and procedure or has scheduled a date for formal approval by the President's Cabinet and the University's Council of Trustees; (2) will have all printed publications and on-line publications with the revised documents (inserts may be used pending reprinting of these publications) in place prior to the beginning of the fall 2018 semester; and (3) will electronically disseminate the revised Title IX/Sexual Misconduct policy and procedure to students and employees prior to the beginning of the fall 2018 semester. Once the dissemination process is completed the University will

provide OCR documentation demonstrating that the revised Title IX/Sexual Misconduct policy and procedure has been electronically disseminated to all students and employees. In addition, the University will provide to OCR a list of the titles of the publications in which the information appears (e.g. University catalog, website, student handbook) as well as a link to any on-line publication containing the revised procedures; or if not yet finalized, a copy of the insert for printed publications.

**XXXXXX**

3. XX – Paragraph Redacted – XX

**XXXXXX:**

a. XXXXXX

The University understands that by signing this Agreement, it agrees to provide data and other information to OCR 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 regulation implementing Title IX, 34 C.F.R. §§ 106.8, 106.9 and 106.31, which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall 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 shall 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.

/s/

3-8-18

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University President or Designee

Date

/s/

4.2.18

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U.S. Department of Education  
OCR Philadelphia Office Director

Date