

**Resolution Agreement
Tennessee State University
OCR Docket Number 04-15-2347**

The U.S. Department of Education, Office for Civil Rights (OCR) and Tennessee State University (University) enter into this Resolution Agreement (Agreement) to resolve the allegations in complaint number 04-15-2347. The University assures OCR that it will take the following actions to comply with the requirements of Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d *et seq.*, and its implementing regulation, 34 C.F.R. Part 100, which prohibit discrimination on the basis of race, color, and national origin by recipients of Federal financial assistance and the Age Discrimination Act of 1975, 42 U.S.C. §§ 6101 *et seq.*, and its implementing regulation, 34 C.F.R. Part 110, which prohibit discrimination on the basis of age in programs or activities receiving Federal financial assistance.

Pursuant to Section 303(b) of OCR's Case Processing Manual, to resolve the issues of this investigation, the University agrees to implement the following corrective actions.

Student-Focused Remedy

1. **By May 29, 2018**, the University will reimburse the Complainant all tuition and fees paid to the University in association with her enrollment and participation in the Course in question.

Reporting Requirement:

- a. **By April 12, 2018**, the University will submit to OCR, for its review and approval, a complete inventory of any and all tuition and/or fees paid by the Complainant or on the Complainant's behalf in connection with her registration, enrollment, and participation/attendance in the Course. OCR shall approve the University's intended reimbursement amount by April 26, 2018.
- b. **By May 29, 2018**, the University will provide OCR with evidence that it has submitted to the Complainant a reimbursement check for all tuition and fees associated with the Course in question, in the amount approved by OCR subject to Section 1(a) of this Agreement.

Anti-Discrimination and Harassment Training

2. **By September 15, 2018**, the University will initiate annual mandatory training of all faculty and staff in its College of Business on the prohibition against discrimination and harassment as detailed in Title VI and the Age Act and their implementing regulations, including the anti-retaliation provisions of these statutes. Further, the University will initiate annual mandatory training for all faculty and staff regarding its Discrimination and Harassment- Complaint and Investigation Procedure (Policy P-080), including how

to identify discriminatory or harassing conduct and complaints of the same, and to whom such complaints should be directed.

Reporting Requirements:

- a. **By June 30, 2018**, the University will submit to OCR, for its review and approval, documentation of the training it intends to initiate to comply with Section 2 of this Agreement. The documentation will include: (1) a list of all faculty and staff employed in University's College of Business; (2) a description of the presenter's background and qualifications with respect to knowledge of the statutes and policies identified in Section 2; (3) a copy of the agenda and the training materials to be disseminated; and, (4) the anticipated date of the training session(s). OCR shall approve the content of the training within thirty (30) days of the University's submission.
- b. **By October 15, 2018**, the University will submit to OCR documentation that it has facilitated the training required by Section 2 and approved by OCR subject to Section 2(a) of this Agreement. The documentation shall include the following: (1) the date the training occurred; (2) evidence that the training approved in Section 2(a) of this Agreement was presented in the format approved by OCR; and, (3) a list of all faculty and staff that attended the training via sign-in sheets.

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 and is in compliance with the Title VI of the Civil Rights Act of 1964 (Title VI), 42 U.S.C. §§ 2000d *et seq.*, and its implementing regulation, 34 C.F.R. Part 34 C.F.R. §§ 100.3 and 100.7(e) and the Age Discrimination Act of 1975, 42 U.S.C. §§ 6101 *et seq.*, and its implementing regulation, 34 C.F.R. Part § 110.10. Upon completion of the obligations under this Agreement, OCR shall close and dismiss 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 District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

President or designee

Date