

**Resolution Agreement
Troy University
Complaint Number 04-21-2060**

Troy University enters into this Resolution Agreement (Agreement) to resolve issues raised in Complaint Number 04-21-2060. 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), 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulation, 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any education program or activity receiving Federal financial assistance.

Prior to the completion of OCR's investigation, the University agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's *Case Processing Manual*. This Agreement does not constitute an admission of wrongdoing or liability by the University pursuant to Title IX. Accordingly, to ensure compliance with Title IX and its implementing regulation, the University voluntarily agrees to the following actions.

I. REVIEW AND REVISION OF PRACTICES, POLICIES AND PROCEDURES

- A. The University will review its practices, policies and procedures for providing adjustments for pregnant students, to ensure that the University adequately addresses Title IX's prohibition on discrimination against pregnant students. During its review, the University will identify the relevant practices, policies and procedures currently in effect and revise, or as needed, develop, written policies and procedures.

REPORTING REQUIREMENT:

By March 1, 2023, the University will submit to OCR documentation demonstrating that the University has: (i) identified all relevant practices, policies and procedures and (ii) as needed, revised or developed policies and procedures pursuant to Item IA above. The University will include a draft of the proposed revisions¹ for OCR's review and approval. The University will promptly and fully address OCR's feedback, if any, until the University receives OCR's final approval of the revised policies and procedures.

- B. Within thirty (30) calendar days of receiving OCR's final approval of the policies and procedures, the University will adopt and implement the policies and procedures, and disseminate them to all students, faculty, and staff.

REPORTING REQUIREMENT:

By April 15, 2023, the University will submit to OCR documentation demonstrating the University has: (i) formally adopted the revised policies and procedures, and (ii) disseminated the adopted policies and procedures to all students, faculty, and staff. The

¹ The University will submit the revised policies and procedures by submitting: (i) a red-lined version of the proposed changes, and (ii) a clean copy of the proposed final policies and procedures.

University will promptly and fully address OCR's concerns, if any, regarding adoption and dissemination of the revised policies and procedures.

II. WEBSITE UPDATE AND DISSEMINATION OF INFORMATION

The University will publish prominently on its website and elsewhere, as appropriate, information regarding: (i) the Title IX rights of—and the University's obligations to—pregnant students; (ii) the procedure for pregnant students to request adjustments to the regular program; (iii) the name and contact information for the individual(s) tasked with coordinating the University's response to requests for adjustments from pregnant students; (iv) if different from (iii) above, the name and contact information for the University's Title IX Coordinator; and (v) the grievance procedure for students to file complaints of sex discrimination, including pregnancy-related complaints, and a web link to the grievance procedures.

REPORTING REQUIREMENT:

By April 15, 2023, the University will provide OCR with web links and, if applicable, hard copies of the publications in Item II above, as well as the method(s) and date(s) of publication for any hard copies.

III. TRAINING REGARDING RIGHTS OF AND OBLIGATIONS TO PREGNANT STUDENTS

The University will provide training regarding the Title IX rights of pregnant students and the University's obligations regarding pregnant students to all faculty, as well as to all staff involved in providing Title IX resources or addressing requests for adjustments from pregnant students. This training must include: (i) how and to whom students may submit requests for adjustments to the regular program; (ii) the contact information for the University's Title IX Coordinator and any individual(s) tasked with coordinating the University's response to requests for adjustments from pregnant students; (iii) the process for identifying and providing adjustments; (iv) examples of pregnancy-related adjustments; and (v) the grievance procedure for students to file complaints of sex discrimination, including pregnancy-related complaints.

REPORTING REQUIREMENTS:

By April 15, 2023, the University will provide OCR with the name and qualifications of the proposed trainer(s) who will provide the training described in Item III above and a copy of the proposed training materials for OCR's review and approval.

The University will promptly and fully address OCR's feedback, if any, until the University receives OCR's final approval of the trainer and training materials.

Within ninety (90) calendar days of receiving OCR's final approval of the trainer, training materials and training survey in Item IV below, the University will ensure that the training described above takes place and provide OCR: (i) the date, time, and location of the

training; (ii) confirmation that the approved training materials were used; (iii) confirmation that the approved trainer(s) was used; (iv) the names and titles or positions of faculty and staff who attended the training; (v) the names and titles or positions of faculty and staff who were required but did not attend the training; and (vi) a plan to train each person identified in (v) above.

Within thirty (30) days of completing its training obligation under this Agreement, the University will provide items (i) to (iv) above for each person identified in item (v) above who received training on an alternate date.

IV. SURVEY FOR TRAINED FACULTY AND STAFF

The University will assess the effectiveness of the training referenced in Item III above, by conducting a survey of the faculty and staff who attend the training. The survey will specifically inquire about their knowledge regarding: (a) how and to whom students may submit requests for adjustments to the regular program; (b) the contact information for the University's Title IX Coordinator and any individual(s) tasked with coordinating the University's response to requests for adjustments from pregnant students; and (c) the grievance procedure for students to file complaints of sex discrimination, including pregnancy-related complaints.

REPORTING REQUIREMENTS:

Within thirty (30) calendar days of receiving OCR's final approval of the trainer and training materials in Item III above, the University will provide OCR a draft survey for assessing the effectiveness of the training. The University will promptly and fully address OCR's feedback, if any, until the University receives OCR's final approval of the survey.

Within thirty (30) days of receiving training attendees' survey results, the University will provide documentation to OCR of the results of the survey and a description of any actions the University took or plans to take in response to the survey results, including conducting additional training sessions to ensure effective training is provided. The University will promptly and fully address OCR's feedback regarding the survey results, if any.

V. TRACKING SYSTEM FOR PREGNANCY-RELATED ADJUSTMENTS FOR STUDENTS

By March 15, 2023, the University will develop a system for tracking (i) requests for pregnancy-related adjustments for students made to the Title IX Coordinator, faculty or other staff; (ii) the responses to the requests, including verification of adjustments provided by faculty, staff or others; and (iii) the reasons for the denial of any requests.

REPORTING REQUIREMENTS:

By April 15, 2023, the University will provide OCR with details regarding the tracking system, including how requests for adjustments, responses and denials are documented and

tracked. The University will promptly and fully address OCR's feedback, if any, regarding the tracking system.

VI. LIST OF REQUESTS FOR PREGNANCY-RELATED ADJUSTMENTS AND THE UNIVERSITY'S RESPONSES

By December 1, 2023, the University will compile a list of all pregnancy-related requests for adjustments for students and all responses to the requests for the period March 15 – November 15, 2023.

REPORTING REQUIREMENTS:

By December 15, 2023, the University will provide OCR the above list of pregnancy-related requests for adjustments for students, and all responses to the requests for the period March 15 – November 15, 2023.

If OCR determines it needs underlying documentation, the University will provide such documentation within **ten business days** of OCR's request.

If OCR determines the University is not in compliance with Title IX with regard to a specific request, **within 15 days of the date of OCR's notice**, the University will take action to respond to the request consistent with the requirements of Title IX.

VII. INDIVIDUAL REMEDY

The University will remove the Complainant's Fall 2020 grades in [redacted content] (collectively, the Courses) from the Complainant's transcript. In addition, consistent with all applicable laws, the University will work to limit the negative impact on the Complainant's future applications for financial aid that any disbursement of financial aid for the Courses may have had and reimburse the Complainant for Fall 2020 documented expenses related to any of the Courses the Complainant has since retaken.

REPORTING REQUIREMENTS:

By April 15, 2023, the University will provide OCR an updated copy of the Complainant's transcript or other documentation of (i) changes made in response to Item VII above; (ii) the Complainant having retaken any of the Courses; (iii) reimbursement for Fall 2020 documented expenses related to any of the Courses the Complainant has since retaken; and (iv) any other steps the University took to limit the impact of the Courses on the Complainant's future applications for financial aid.

By signing the Agreement, the University agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. During the monitoring of the 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 the Agreement.

The University understands that OCR will not close the monitoring of the Agreement until such time as OCR determines that the University is in compliance with the terms of the Agreement and the statute(s) and regulation(s) at issue in the case.

The University understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (DOJ) for judicial proceedings to enforce the specific terms of the Agreement and the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR will give the University written notice of the alleged breach and 60 calendar days to cure the alleged breach.

This agreement will become effective upon the signature(s) of the representative for the University.

For Troy University:

/s/

Dr. Jack Hawkins, Jr.
Chancellor

January 20, 2023
Date