

**Resolution Agreement**  
**Office for Civil Rights, U.S. Department of Education**  
**OCR Docket # 05-15-2554**  
**Anoka-Ramsey Community College**

The U.S. Department of Education, Office for Civil Rights (OCR) and Anoka-Ramsey Community College (College) enter into this agreement to resolve the allegation in OCR Docket # 05-15-2554. The College assures OCR that it will take the following action to comply with the requirements of Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §1681-1688, and its implementing regulation, 34 C.F.R. Part 106, which prohibit discrimination based upon sex, and the Age Discrimination Act of 1975 (Age Act), 42 U.S.C. §§ 6101-6107, and its implementing regulation, 34 C.F.R. Part 110, which prohibit discrimination on the basis of age by recipients of Federal financial assistance.

Effective immediately, the College will take all steps necessary to ensure that it responds appropriately to incidents of sex and age discrimination or harassment<sup>1</sup> of which it has notice. To this end, the College will promptly investigate all reports or complaints of incidents of discrimination or harassment and will take appropriate action, including disciplinary action where appropriate, against students, faculty, administrators or staff who violate the College's policies and procedures addressing discrimination and harassment. The College will take prompt and effective responsive action to end discrimination or harassment, prevent its recurrence, and, where appropriate, take steps to remedy the effects of discrimination or harassment on the affected students.

**POLICIES AND PROCEDURES**

The College agrees to review and revise its notice of nondiscrimination, policies and procedures as follows:

1. By **May 4, 2018**, the College will review and revise Procedure 1B.1.1 to ensure that it adequately provides for the prompt and equitable resolution of complaints of discrimination or harassment based on sex and/or age by students and employees.<sup>2</sup> The College will ensure that these revised procedures at a minimum include the following:
  - a. A process for extending timeframes for major stages of the grievance process.
  - b. Interim measures for the parties as appropriate, before the final determination of the investigation (e.g., a no contact order, counseling, academic support).
  - c. A provision which requires the College to inform the parties **on a periodic basis** of the status of the investigation.

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<sup>1</sup> For purposes of this Agreement, the term, "discrimination or harassment" is defined to include age and sex discrimination and sexual assault.

<sup>2</sup> For purposes of this Agreement, "complaints" includes not just complaints filed through the College's grievance procedures, but also reports of discrimination or harassment the College receives and discrimination or harassment of which the College's designated reporting employees become aware.

2. By **May 4, 2018**, the College will review and revise Procedure 1B.3.1 to ensure that it adequately provides for the prompt and equitable resolution of sexual harassment complaints (including sexual violence complaints). The College will ensure that these revised procedures at a minimum include the following:
  - a. **Designated**, reasonably prompt time frames for major stages of the grievance process, as well as the process of extending timeframes for major stages of the grievance process.
  - b. A statement addressing potential conflict of interest of the investigator or decision maker.
  - c. A provision which requires the College to inform students **on a periodic basis** of the status of the investigation.
  
3. By **May 4, 2018**, the College will review and revise its Procedures to ensure that the following apparent contradiction is eliminated:
  - a. Procedure 1B.1.1 states, “This procedure is not applicable to allegations of sexual violence; allegations of sexual violence are handled pursuant to Board Policy 1B.3 Sexual Violence and System Procedure 1B.3.1.”
  - b. Procedure 1B.3.1 states, “Colleges, universities, and the system office shall use System Procedure 1B.1.1 . . . when investigating complaint of sexual violence.”

**REPORTING REQUIREMENT:** By **June 8, 2018**, the University will adopt, implement and publish the revised policies and procedures referenced in Item 1, Item 2 and Item 3. Publication will include written notice of the policies and procedures to the College community, including students, administrators and staff. The College will make this notification available through emails to students and employees, and the College website, and any other means of notification the College deems effective to ensure that the information is widely disseminated.

**FURTHER REPORTING REQUIREMENT:** Within 30 days after publishing its revised policies and procedures, the College will provide OCR with documentation that it has published the revised policies and procedures, including copies of the notices to students and employees regarding the revised policies and procedures and a description of how the notices were distributed, a link to its webpage where the revised policies and procedures are located, and documentation of any other means of notification used by the College.

#### **TRAINING OF COLLEGE PERSONNEL AND STUDENTS**

4. By **September 15, 2018**, the College will provide administrators, faculty, and staff who have the responsibility of implementing Procedure 1B.1.1 and/or 1B.3.1 with effective training on the College’s procedures on discrimination, harassment and retaliation. The training will review the College’s revised discrimination or harassment procedures referenced in this Agreement, and include the following components at a minimum:

- a. The College will remind all staff of its commitment to having a school environment free from discrimination or harassment and explain what they should do if they believe students or employees have been subjected to discrimination or harassment, including that they are strongly encouraged to immediately report possible harassment of which they have knowledge and the possible discipline of those who are required to report alleged harassment or discrimination if they fail to so report.
- b. The training will include a review of the College's revised discrimination and harassment procedures, including an explanation of what constitutes harassment as well as disciplinary sanctions related to findings of violations of its discrimination and harassment procedures and/or the policy prohibiting retaliation and intimidation.
- c. The training will provide a general overview of Title IX and the Age Act including how the law's nondiscrimination provisions apply to students, the names and contact information for the designated staff member(s) to whom students or others may report allegations of harassment, where to locate the College's discrimination or harassment procedures on the College's website, and the existence of OCR and its authority to enforce Title IX and the Age Act.
- d. The College will distribute written materials during the training that contain the information discussed in Items # 5(a) – (c) above.
- e. The training will also provide attendees with instruction on recognizing and appropriately addressing allegations of discrimination or harassment and complaints pursuant to Title IX and the Age Act.

**REPORTING REQUIREMENT:** By **October 1, 2018**, the College will provide OCR with documentation that it has provided appropriate College staff with the training referenced in Item # 4, including the dates of the training, the names, credentials and titles of the trainer(s), a copy of any materials used or distributed during the training, and a sign-in sheet with the names and titles of the College staff who attended the training.

#### **MAINTENANCE OF OTHER DATA**

5. Effective immediately, the College agrees to maintain documents relating to specific complaints or other reports of discrimination or harassment of students, including the following:
  - a. A copy of all written reports or complaints or any other reports of incidents involving allegations of age or sex discrimination or harassment;
  - b. A narrative of all actions taken in response to the reports by College personnel, including any written documentation;
  - c. A copy of any and all written determinations and disciplinary sanctions issued to students or employees for violations of the College's harassment policies and procedures;

- d. Documentation demonstrating any interim and/or remedial efforts offered and provided to the complainant, the accused and/or witnesses of the incident(s), such as counseling or other appropriate services; and,
- e. A narrative of all action taken to prevent recurrence of any harassing incident(s), including any written documentation.

**REPORTING REQUIREMENT:** By **June 30, 2019**, the College will provide to OCR copies of the documentation referenced in Item # 5 for academic year 2018-19.

The College understands that by signing this Agreement, it agrees to provide the foregoing information in a timely manner in accordance with the reporting requirements of this Agreement. Further, the College understands that, during the monitoring of this Agreement, if necessary, OCR may visit the College, interview staff and students, and request such additional reports or data as are necessary for the OCR to determine whether the College has fulfilled the terms of this Agreement and is in compliance with Title IX, at 34 C.F.R. §§106.8(b) and 106.31(a), and the Age Act, at 34 C.F.R. §110.25(c), which were at issue in this complaint. Upon completion of the obligations under this Agreement, OCR shall close and dismiss this case.

The College 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, 10.10), or judicial proceedings to enforce this Agreement, OCR shall 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.

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President or designee

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Date