

RESOLUTION AGREEMENT

Chicago State University OCR Complaint No. 05-17-2414 Chicago Regional Office

The U.S. Department of Education, Office for Civil Rights (OCR) and the Chicago State University (University) enter into this agreement to resolve the allegation in OCR Docket # 05-17-2414. 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. §§ 1681-1688, and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex by recipients of Federal financial assistance from the Department.

BASIC NURSING ASSISTANT TRAINING PROGRAM POLICIES

1. By June 1, 2018, the University will revise its Basic Nursing Assistant Training (BNAT) Program policies and procedures related to student pregnancy to ensure that the revised policies and procedures comply with the Title IX regulation at 34 C.F.R. § 106.40. At a minimum, the revised policies and procedures will:
 - A. not treat students differently on the basis of sex with respect to any rule concerning a student's actual or potential parental, family, or marital status;
 - B. not discriminate against a student, or exclude any student from any University program or activity, including any class or extracurricular activity, on the basis of the student's pregnancy, childbirth, false pregnancy, termination of pregnancy, or recovery therefrom, unless the student requests voluntarily to participate in a separate portion of the program or activity of the University;
 - C. not require pregnant students to obtain the certification of a physician that the student is physically and emotionally able to continue participation, unless such a certification is required of all students for other physical or emotional conditions requiring the attention of a physician; and
 - D. treat pregnancy, childbirth, false pregnancy, termination of pregnancy and recovery therefrom as a justification for a leave of absence for so long a period of time as is deemed medically necessary by the student's physician, at the conclusion of which the student shall be reinstated to the status that she held when the leave began, with the opportunity to make up any work missed in a manner selected by the student.

Reporting By June 15, 2018, the University will submit to OCR its revised policies and procedures for review and approval. Within 45 days of OCR's notice to the University of its approval of the revised policies and procedures, the University will adopt, implement and widely disseminate the OCR-approved revised policies and procedures. At that time, the University will also provide documentation to OCR that it has adopted, implemented and widely disseminated the revised policies and procedures.

2. Within 90 days of OCR's approval of the revised policies and procedures, the University will provide training to all BNAT Program staff regarding the requirements of Title IX related to sex discrimination and pregnancy. The training will address, specifically, the University's obligations under the Title IX regulation at 34 C.F.R. § 106.40, and the University's policies and procedures revised pursuant to Item 1 of this Agreement. This training will be conducted by a person knowledgeable about Title IX and these issues.

Reporting Within 90 days of OCR's approval of the revised policies and procedures, the University will provide documentation to OCR to verify its implementation of Item 2 of this Agreement, including the date of the training; copies of sign-in sheets with the attendees' names and titles; a list of any staff, by name and title, who did not participate in the training and what steps are being taken to provide them the information covered; the name and title of the presenter(s) and a description of his or her qualifications; and copies of outlines of the topics covered in the training and any materials distributed during the training.

The University 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 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 Title IX and its implementing regulation at 34 C.F.R. Part 106. 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 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:

Name and Title

Date