

**Resolution Agreement
OCR Complaint # 06112045**

Texas Southern University (TSU or the University) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office. By this Agreement, the University commits to the following actions, consistent with the requirements of Title IX of the Education Amendments of 1972 (Title IX), and its implementing regulations, to resolve the compliance concerns identified through OCR's investigation of the above-referenced complaint. The University understands that OCR will not close the monitoring of this Agreement until OCR determines that the University has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Title IX, at 34 C.F.R. §§ 106.8 and 106.31, which were at issue in this case. 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 regulations implementing Title IX, at 34 C.F.R. §§ 106.8 and 106.31, which were at issue in this case. This Agreement does not constitute an admission by the University that it discriminated or otherwise engaged in any wrongdoing. The University hereby voluntarily commits to the following:

TITLE IX GRIEVANCE PROCEDURES – EMPLOYMENT/THIRD PARTIES

1. By February 14, 2012, the University will submit to OCR for its review and approval draft Title IX grievance procedures to address complaints of sex discrimination (including sexual harassment and sexual assault) involving faculty and staff members as required by Title IX's implementing regulations at 34 C.F.R. § 106.8(b). These grievance procedures may also address other types of discrimination based on classifications protected by law or TSU policy. The University will ensure that these procedures provide for the prompt and equitable resolution of complaints alleging sex discrimination and will include, at a minimum, the following:
 - a. a notice that the procedures apply to complaints of sex discrimination (including sexual harassment and sexual assault) raised by employees, students, or third parties against a faculty or staff member or third party;
 - b. an explanation of how to file a complaint pursuant to the procedure;
 - c. The name or title, office address, and telephone number of the individual with whom to file a complaint;
 - d. definitions and examples of what types of actions may constitute sex discrimination (including sexual harassment and sexual assault);

- e. provide for the adequate, reliable, and impartial investigation of all complaints, including the opportunity for the parties to present witnesses and other evidence;
- f. provide for the evidence to be reviewed using a preponderance of the evidence standard;
- g. timeframes for the major stages of the investigation;
- h. written notification to the parties of the outcome of the investigation;
- i. an assurance that the University will keep the complaint and investigation confidential to the extent possible;
- j. an assurance that the University will take steps to prevent recurrence of any discrimination, with examples of the range of possible disciplinary sanctions, and to remedy the discriminatory effects on the victim(s) and others, with examples of the types of remedies available to victims; and
- k. a statement that Title IX prohibits retaliation against any individual who files a complaint under Title IX or participates in a complaint investigation.

REPORTING REQUIREMENT: The reporting requirement for this item is referenced in the reporting requirement for Paragraph #2 below.

2. Within 45 calendar days after receiving the OCR-approved revised grievance procedures, the University will adopt and implement the procedures and will disseminate to all faculty, staff, and students written notice regarding the grievance procedures for resolving Title IX complaints raised by employees, students, or third parties against a faculty or staff member or third party. The University, at a minimum, will make this notification through the University's website, electronic mail messages to faculty, staff, and students, and the following regularly issued publications: Course Selection Bulletin, Student Code of Conduct, Student Handbook, Employee Manual, and Manual of Administrative Policies and Procedures (in print or online), as well as by any additional means of notification that the University deems effective to ensure that the information is widely disseminated.

REPORTING REQUIREMENT: Within 30 calendar days after the completion of Item #2 above, the University will provide OCR with documentation that it has implemented Item #2 above, including copies of the written notices issued to faculty, staff, and students regarding the Title IX procedures and a description of how the notices were distributed; copies of the relevant revised student publications; and a link to its webpage where the revised Title IX procedures are located.

TITLE IX GRIEVANCE PROCEDURES – STUDENTS

3. By February 14, 2012, the University will submit to OCR for its review and approval a draft policy to provide appropriate Title IX grievance procedures, as required by 34 C.F.R. § 106.8(b), to address complaints of sex discrimination (including sexual harassment and sexual assault) against students and will submit these procedures to OCR for review and approval. The University will ensure that

these procedures provide for the prompt and equitable resolution of complaints alleging sex discrimination and will include, at a minimum, the following:

- a. a notice that the procedures apply to complaints of sex discrimination (including sexual harassment and sexual assault) raised by employees, students, or third parties against University students;
- b. an explanation of how to file a complaint pursuant to the procedure;
- c. the name or title, office address, and telephone number of the individual with whom to file a complaint;
- d. definitions and examples of what types of actions may constitute sex discrimination (including sexual harassment and sexual assault);
- e. provide for the adequate, reliable, and impartial investigation of all complaints, including the opportunity for the parties to present witnesses and other evidence;
- f. provide for the evidence to be reviewed using a preponderance of the evidence standard;
- g. timeframes for the major stages of the investigation;
- h. written notification to the parties of the outcome of the investigation;
- i. an assurance that the University will keep the complaint and investigation confidential to the extent possible;
- j. an assurance that the University will take steps to prevent recurrence of any discrimination, with examples of the range of possible disciplinary sanctions, and to remedy the discriminatory effects on the victim(s) and others, with examples of the types of remedies available to victims;
- k. a statement that Title IX prohibits retaliation against any individual who files a complaint under Title IX or participates in a complaint investigation; and
- l. a statement regarding whom to contact if a student wishes to file a complaint of sex discrimination against a faculty or staff member or third party.

REPORTING REQUIREMENT: The reporting requirement for this item is referenced in the reporting requirement for Paragraph #4 below.

4. Within 45 calendar days of receiving the OCR-approved, revised grievance procedures, the University will adopt and implement the procedures and will provide all students, faculty and staff with written notice regarding the grievance procedures for resolving Title IX complaints together with information on how to obtain a copy of the grievance procedures. The University, at a minimum, will make this notification through the University's website, electronic mail messages, and the following regularly issued publications: Course Selection Bulletin, Student Code of Conduct, Student Handbook, Employee Handbook, and Manual of Administrative Policies and Procedures (in print or online), as well as by any other additional means of notification the University deems effective to ensure that the information is widely disseminated.

REPORTING REQUIREMENT: Within 30 calendar days after the completion of Item #4, the University will provide OCR with documentation that it has implemented Item #4

above, including copies of the written notices issued to faculty, staff, and students regarding the Title IX procedures and a description of how the notices were distributed; copies of its revised student handbooks; and a link to its webpage where the revised Title IX procedures are located.

TRAINING FOR TITLE IX COORDINATOR(S)/ UNIVERSITY PERSONNEL

5. Within 45 calendar days after receiving OCR's approval of the grievance procedures described in Items #1 and #3 above, the University will provide its Title IX Coordinators, any other coordinators, and any University officials and administrators who will be directly involved in processing, investigating, and/or resolving complaints of sex discrimination (including sexual harassment and sexual assault), or who will otherwise coordinate the University's Title IX compliance, with training on the University's Title IX grievance procedures. The University will also provide training explaining the different types of discrimination prohibited by Title IX, and will outline the applicable legal standard for conducting investigations into the different types of Title IX discrimination complaints.

REPORTING REQUIREMENT: Within 30 calendar days after the completion of Item #5 above, the University will provide OCR with documentation that it has provided appropriate University staff with the training referenced in Item #5, including the dates of the training, the names 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 University staff who attended the training.

6. By September 15, 2012, the University will implement a Title IX training program for all faculty and staff. The training will provide essential guidance and instruction on recognizing and appropriately addressing allegations and complaints of sex discrimination, including the differences between sex discrimination, sexual harassment, and sexual assault and an understanding of the University's responsibilities under Title IX to address allegations of sexually inappropriate behaviors. In addition, the training will cover the University's grievance procedures for Title IX complaints. Finally, the training will cover the University's Consensual Relationship Policy, and will include a discussion of the disciplinary consequences faced by faculty and staff who fail to comply with the policy. The University shall require all University personnel who interact with students on a regular basis to complete the training. Student temporary employees will not be subject to the training requirement. Any University personnel hired after the training completion date contained in this Agreement will be required to complete the training within 30 calendar days of their first day of work.

REPORTING REQUIREMENT: Within 30 calendar days after the completion of Item #6 above, the University will provide OCR with documentation that it has implemented Item #6 above, including copies of any notices provided to University staff regarding the

required training, and documentation of the names and titles of the University employees who have completed the training.

COMPLAINANT-FOCUSED PROVISIONS

7. By December 16, 2011, the University will provide written notice to the complainant, via a traceable method of delivery, of the availability XXXXX XXXXX XXXXX through the XXXXX XXXXX XXXXX XXXXX for the duration of the period that XXXXX remains a student at TSU. The notice will state the location, hours, and telephone number of the XXXXX XXXXX, and will explain that its XXXXX are XXXXX XXXXX of charge to all TSU students.

REPORTING REQUIREMENT: Within 30 calendar days after the provision of this notice to the complainant, the University will provide to OCR a copy of the written notice and tracking information indicating delivery of the written notice described in Item #7 above. If the letter is unclaimed by the complainant, the University will provide documentation of such.

8. By December 16, 2011, the University will provide written notice to the complainant, via a traceable method of delivery, of the University's intent to permit XXXXX to XXXXX the XXXXX XXXXX XXXXX of the XXXXX XXXXX and have it XXXXX XXXXX XXXXX XXXXX XXXXX. The letter will specify whom the complainant is to contact if XXXXX desires to XXXXX XXXXX, the date by which XXXXX must contact that individual to arrange the XXXXX and the length of time that this offer will remain open to the complainant.

REPORTING REQUIREMENT: Within 30 calendar days after the provision of this notice to the complainant, the University will provide to OCR a copy of the written notice and tracking information indicating delivery of the written notice described in Item #8 above. If the letter is unclaimed by the complainant, the University will provide documentation of such. Within 30 calendar days after the expiration of the offer, the University will provide OCR with documentation indicating whether the complainant opted to XXXXX XXXXX XXXXX. If the complainant chooses to XXXXX XXXXX XXXXX, within 30 calendar days after the XXXXX, the University will provide OCR with a copy of the XXXXX XXXXX and XXXXX, as well as documentation of the XXXXX the complainant received and the XXXXX of the XXXXX XXXXX XXXXX the XXXXX.

9. By December 16, 2011, the University will provide written notice to the complainant, via a traceable method of delivery, that XXXXX will be permitted one year from the date of this Agreement to complete any remaining requirements for any classes in which XXXXX was enrolled but XXXXX XXXXX XXXXX e a XXXXX during the XXXXX XXXXX and XXXXX XXXXX XXXXX, at no additional cost to XXXXX. The letter will indicate whom the complainant is to contact to arrange the completion of this coursework.

REPORTING REQUIREMENT: Within 30 calendar days after the provision of this notice to the complainant, the University will provide to OCR a copy of the written notice and tracking information indicating delivery of the written notice described in Item #9 above. If the letter is unclaimed by the complainant, the University will provide documentation of such. If the complainant chooses to complete the coursework, within 30 calendar days after the final grades are published, the University will provide to OCR documentation of the final grades.

10. By December 16, 2011, the University will provide written notice to the complainant, via a traceable method of delivery, of the steps the University intends to take to ensure that there is no further contact between the complainant and the XXXXX XXXXX.

REPORTING REQUIREMENT: Within 30 calendar days after the provision of this notice to the complainant, the University will provide to OCR a copy of the written notice and tracking information indicating delivery of the written notice described in Item #10 above. If the letter is unclaimed by the complainant, the University will provide documentation of such.

UNIVERSITY-FOCUSED PROVISIONS

11. Within 45 calendar days after receiving OCR’s approval of the grievance procedures described in Items #1 and #3 above, the University will establish a committee of students and staff members, with representation from various student groups and academic, graduate, and professional programs, the University’s Title IX Coordinator(s) and others, as appropriate, to identify strategies to ensure that all University students understand their rights under Title IX and how to report alleged violations, and to ensure that the University takes each complaint seriously and provides a prompt and equitable response in accordance with the requirements of Title IX.

REPORTING REQUIREMENT: Within 45 calendar days of implementing Item #11 above, the University will provide OCR with documentation of the implementation, including a list of names and titles of the members of the appropriate student groups, a copy of the committee’s recommended actions, and a detailed description of any strategies the committee recommended to prevent incidents of sexual harassment, including any outreach or educational activities.

President or Designee
Texas Southern University

Date