



RESOLUTION AGREEMENT

Southeastern Louisiana University

OCR Case Number: 06-15-2091

A. GENERAL TERMS & PRINCIPLES:

Southeastern Louisiana University (University or recipient) 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), as amended, 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106, to resolve the compliance concerns raised by the complainant's allegations.

The recipient hereby voluntarily commits to this Agreement.

B. ACTION ITEMS & REPORTING REQUIREMENTS:

Action Item 1

1. The University agrees to the following:
 - i. The Student may re-enroll in the School of Nursing, in the same program in which she was enrolled during the XXXX XXXX semester, to begin as early as the Fall 2017 semester;
 - ii. If the Student re-enrolls, the University will allow her to retake XXXX XXXX (XXXX XXXX XXXX XXXX XXXX) and XXXX XXXX (XXXX XXXX XXXX XXXX), with tuition and fees associated with those five credit hours waived.
 - iii. The Student will be returned to good standing with the College (i.e., XX—phrase redacted—XX), and, upon the Student's request, and for as long as she remains in good standing with the School of Nursing, the College of Nursing and Health Sciences will provide a letter stating that the Student is in good standing with the College of Nursing and Health Sciences.
 - iv. XX—sentence redacted—XX
 - v. If the Student retakes XXXX XXXX and XXXX, the successful completion of those classes (i.e., an A, B, or C grade) will result in the replacement of her prior grade in those classes in the calculation of her GPA.
 - vi. Upon her re-entry, Student will once again be subject to the Progression and Retention Policy (any combination of three W's, D's, or F's OR re-enrolling more than two times in any one nursing class as a result of any combination of W's, D's, or F's) will result in dismissal from the program.
2. Within **five (5) days of the date of this Agreement**, the University will notify the Student in writing of the items outlined in Action Item 1.1.

Reporting Requirements: Action Item 1

- a. By **August 16, 2017**, the University will submit to OCR:
 - i. A narrative report (e.g., email) documenting whether the Student has accepted the University's offer of re-enrollment; and
 - ii. Documentation showing whether the Student enrolled in XXXX XXXX, XXXX XXXX, and/or XXXX XXXX (e.g., a class schedule) and, if so, documentation showing that the University allowed her to take those classes at no cost (e.g., a copy of the statement showing the tuition and fees that the Student paid or owes for the Fall 2017 semester).
- b. By **December 18, 2017**, the University will submit to OCR a copy of the Student's transcript, including her grades for the Fall 2017 semester and her GPA.
- c. Within **ten (10) days of the date of this Agreement**, the University will provide OCR with a copy of the notification sent to the Student in accordance with Action Item 1.2.

SCHOOL-WIDE REMEDIES:

Action Item 2

1. By **July 14, 2017**, the University will evaluate and revise the University's notice of nondiscrimination to ensure that it notifies applicants for admission and employment, students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with the University that it does not discriminate on the basis of sex in its education programs or activities, and that it is required by Title IX not to discriminate in such a manner. Such notification shall state at least that the requirement not to discriminate in the education program or activity extends to employment. The notice must also state that questions regarding Title IX may be referred to the recipient's Title IX coordinator or to OCR.
2. Within **sixty (60) days of OCR's approval of the revisions** to its notice of nondiscrimination, the University will adopt and implement the notice in its electronic and printed materials. For printed materials, inserts may be used pending reprinting.

Reporting Requirements: Action Item 2

- a. By **July 14, 2017**, the University will provide to OCR a copy of its revised notice of nondiscrimination for OCR's review and approval.
- b. By **the ninetieth (90th) day after OCR approves the Revised Policies**, the University will provide to OCR the following: (1) a link or links to the University's website page(s) showing the location of the revised notice of nondiscrimination; and (2) a copy of all policy manuals and student or employee handbooks that include the revised notice of nondiscrimination.

Action Item 3

1. By **July 14, 2017**, the University will evaluate and revise the University's Harassment & Discrimination Policy and the Gender Discrimination Policy included in the University's Student Handbook so that the University's grievance procedure provides for the prompt and equitable resolution of complaints alleging sex discrimination and that it includes, at a minimum, the following:
 - i. notice of the grievance procedures, including where complaints may be filed, that is easily understood, easily located, and widely distributed;
 - ii. application of the procedures to complaints alleging discrimination carried out by employees, other students, or third parties;
 - iii. provisions for adequate, reliable, and impartial investigation, including an equal opportunity to present witnesses and evidence;
 - iv. designated and reasonably prompt time frames for the major stages of the grievance process, as well as the process for extending timelines;
 - v. if the procedures state the standard of review, the procedures must state that the preponderance of the evidence standard will be used for investigating allegations of sex discrimination and any other conduct prohibited by Title IX;
 - vi. interim measures to protect the complainant as necessary, including interim steps before the final outcome of the University's investigation necessary to prevent further discrimination against the allegedly affected student, as well as measures to prevent retaliation against the reporting student, pending resolution of the complaint;
 - vii. provisions for maintaining confidentiality of the complainant and investigation of the complaint to the extent possible;
 - viii. if the procedures allow the parties access to information used at a hearing, the procedures must provide similar and timely access to both parties;
 - ix. if the procedures allow for an appeal of the University's findings, the procedures must provide an equal opportunity to appeal for both parties, including notice to both parties of the appeal procedures;
 - x. a definition of sexual harassment, with examples;
 - xi. notice to the complainant of the right to proceed with a criminal investigation and a Title IX complaint simultaneously;
 - xii. notice that the University will conduct its own investigation of any complaint or grievance under Title IX, independent of any law enforcement investigation regarding the same complaint or grievance;
 - xiii. written notice of the University's investigative determination issued to both parties;
 - xiv. assurance that, if discrimination, harassment, or retaliation has occurred, appropriate corrective and remedial actions will be taken as well as actions to prevent recurrence, with examples of the range of possible disciplinary sanctions, and to remedy the discriminatory effects on the complainant and others, if appropriate; and
 - xv. a statement that Title IX prohibits retaliation against any individual who files a complaint under Title IX or participates in a complaint investigation.

2. Within **sixty (60) days of OCR’s approval of the revisions** to its policies (the Revised Policies), the University will adopt and implement the Revised Policies in its electronic and printed materials. For printed materials, inserts may be used pending reprinting. The University will provide all faculty, staff, and students with written notice regarding how to obtain a copy of the Revised Policies. The University, at a minimum, will make this notification through the University’s website, electronic mail messages to faculty, staff, and students, and any regularly issued newsletters (in print or online), as well as any additional means of notification the University deems effective to ensure that the information is widely disseminated.

Reporting Requirement: Action Item 3

- a. By **July 14, 2017**, the University will provide to OCR a copy of its revised Harassment & Discrimination Policy and the Gender Discrimination Policy for OCR’s review and approval.
- b. By **the ninetieth (90th) day after OCR approves the Revised Policies**, the University will provide to OCR the following: (1) a link or links to the University’s website page(s) showing the location of the Revised Policies; (2) a copy of the notification(s) that the University provided to students and employees via electronic mail messages concerning the publication of the Revised Policies; and (3) a copy of all policy manuals and student or employee handbooks that include the Revised Policies.

Action Item 4

1. Following its implementation of the Revised Policies and no later than **forty-five (45) days after the University receives written notification from OCR of approval of the Revised Policies**, the University will develop, and submit to OCR for review and approval, proposed training for its Title IX Coordinator(s) and any University officials, administrators, faculty, staff, and students directly engaged in processing, investigating, resolving, and/or adjudicating complaints of sex discrimination (including XXXX discrimination), or who will otherwise coordinate the University’s Title IX compliance. The training shall cover, at a minimum, Title IX’s prohibition of discrimination on the basis of XXXX XXXX XXXX XXXX; the University’s revised Title IX grievance procedures; the University’s obligations regarding the investigation of Title IX complaints filed by students, staff, and faculty; instruction on how to conduct and document adequate, reliable, and impartial Title IX investigations, including the appropriate legal standards to apply in a Title IX investigation; and confidentiality.
2. Following its implementation of the Revised Policies and no later than **forty-five (45) days after the University receives written notification from OCR of approval of the Revised Policies**, the University will develop, and submit to OCR for review and approval, proposed training for its Title IX Coordinator(s) and all administrators and faculty of the School of Nursing. The training shall cover, at a minimum, Title IX’s prohibition of discrimination on the basis of XXXX XXXX XXXX XXXX; the University’s revised Title IX grievance procedures; and the University’s obligations regarding the investigation of Title IX complaints filed by students, staff, and faculty.

Reporting Requirement: Action Item 4

No later than **forty-five (45) days after the University receives written notification from OCR of approval of the Revised Policies**, the University will provide OCR the proposed training materials to be used or distributed during the trainings described in Action Item 4, including any speaker’s notes, and the name, title, and qualifications of the trainer(s).

Action Item 5

1. Within **forty-five (45) calendar days of written notification from OCR that the proposed training described in Action Item 4.1 complies with Title IX**, the University will provide training to its Title IX Coordinator(s) and any University officials, administrators, faculty, staff, and students directly engaged in processing, investigation, resolving, and/or adjudicating complaints of sex discrimination (including XXXX discrimination) or who will otherwise coordinate the University’s Title IX compliance.
2. Within **forty-five (45) calendar days of written notification from OCR that the proposed training described in Action Item 4.2 complies with Title IX**, the University will provide training to its Title IX Coordinator(s) and all administrators and faculty of the School of Nursing.

Reporting Requirement: Action Item 5

- a. Within **thirty (30) days of the completion of the training** in Action Items 4.1 and 5.1, the University will provide to OCR documentation demonstrating that it has provided appropriate University staff with the training referenced in Action Items 4.1 and 5.1, including the dates of the training, the names, titles, and qualifications 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 individuals who attended the training.
- b. Within **thirty (30) days of the completion of the training** in Action Items 4.2 and 5.2, the University will provide to OCR documentation demonstrating that it has provided appropriate University staff with the training referenced in Action Items 4.2 and 5.2, including the dates of the training, the names, titles, and qualifications 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 individuals who attended the training.

C. EXECUTION:

The recipient understands that by signing the Agreement, it agrees to provide data and other information in a timely manner. Further, the recipient understands that, during the monitoring of the Agreement, OCR may visit the recipient, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the recipient has fulfilled the terms of the Agreement and is in compliance with the statute(s) and regulations that were at issue in this case.

The recipient understands that OCR will not close the monitoring of the Agreement until such time that OCR determines that the recipient has fulfilled the terms of the Agreement and is in compliance with the statute(s) and regulations that were at issue in this case.

The recipient understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR shall give the recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

On behalf of Southeastern Louisiana University, I hereby agree to and voluntarily submit this Resolution Agreement to the U.S. Department of Education, Office for Civil Rights, Dallas Enforcement Office, and commit to the general terms, principles, action items, and reporting requirements contained herein.

President or Designee's Name

President or Designee's Signature
Southeastern Louisiana University

Date