

RESOLUTION AGREEMENT
Northcentral University
Case Number 08-14-2116

The U.S. Department of Education, Office for Civil Rights (OCR), initiated the above-referenced complaint against the Northcentral University (University) pursuant to Title VI of the Civil Rights Act of 1964 and its implementing regulation at 34 Code of Federal Regulations Part 100, which prohibit discrimination on the basis of race, color, or national origin in programs and activities that receive Federal financial assistance from the U.S. Department of Education. The University agrees to implement the following terms of this Resolution Agreement.

- 1) Within 10 days of the date of this Agreement, the University shall offer to readmit the Complainant for enrollment at the University.

The offer shall explain that the University will, regardless of the Complainant's acceptance of the offer:

- a) Reset the Complainant's financial account balance with the University to zero; and
- b) Clear the Complainant's student records and transcript of any and all records related to the Code of Conduct charges, dismissal of the Complainant from the University, and the grade of "U" for the DIS9502 course.

The offer shall also explain that, if the Complainant accepts the offer to re-enroll at the University, the University will:

- c) Return the Complainant to the academic status he was at with the University prior to the University's filing of the Code of Conduct charge against the Complainant and his dismissal;
- d) Permit the Complainant to retake DIS9502; and
- e) Assign the Complainant a new Chair and Subject Matter Expert¹.

The University shall also explain that the offer to re-enroll at the University shall be good for a term of 6 months from the date of the offer and that the Complainant must begin coursework within the 6 month time period. The offer shall not impose conditions upon the Complainant for enrollment, including but not limited to a release of liability, a requirement to sign a behavior contract, or any other promise not required of typical students enrolling at the University.

REPORTING REQUIREMENTS

Within 10 days of the date of this Agreement, the University shall provide OCR with a copy of the offer and a written confirmation to OCR that the offer was communicated to

¹ OCR notes that OCR did not find the Chair or the Subject Matter Expert discriminated or retaliated against the Complainant in its findings. However OCR notes that the Complainant's strong belief that the Chair discriminated and retaliated against him, coupled with OCR's finding that the University retaliated against the Complainant, requires that the University assign the Complainant individuals, to serve in the capacity as the Chair and SME, who the Complainant does not believe has been part of any retaliatory or discriminatory conduct towards him.

the Complainant. The University shall also provide documentation showing the University reset the Complainant's account balance with the University to zero.

Within 14 days of the Complainant's acceptance of the offer, the University shall provide OCR with documentation showing compliance with Terms 1(a) through 1(e). If the Complainant rejects the University's offer, the University shall provide documentation showing the Complainant's rejection of the offer, and provide documentation showing compliance with Terms 1(a) and 1(b).

- 2) The University will provide OCR with reports of all discrimination and/or retaliation complaints, written or verbal, submitted by students to the University from the date of this agreement forward that Ombudsperson Melanie Shaw, Attorney David Harpool, and Assistant Dean Dr. John Fuginiti have any involvement with, including administering, investigating, or providing input or counsel. The report will list the date the complaints were received; the complainant's name, address, telephone number, and email address; a description of the complaint, the actions taken in response to the complaint, and the specific role or involvement that any of the three individuals identified above exercised in resolving the complaint.

REPORTING REQUIREMENTS

By March 1, 2015 and every 6 months thereafter until December 30, 2017, the University shall provide OCR with a report containing the information described above under Term 2.

- 3) The University shall provide annual training to University administrators and educational staff regarding the prohibition of discrimination on the basis of race/national origin, and the prohibition of retaliation against individuals who file complaints or internal grievances alleging discrimination and retaliation. By January 1, 2014, the University shall submit to OCR for approval a copy of the training materials and trainer's credentials.

Within 30 calendar days of OCR's approval of the training materials and the trainer, the University will provide training to all administrators and educational staff involved in the application/enrollment process.

REPORTING REQUIREMENTS

Within 15 calendar days of the date of the training, the University will provide OCR with a list by name and job title of all individuals who attended the training.

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 a minimum of sixty (60) calendar days to cure the alleged breach.

The University understands that OCR will not close the monitoring of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with

the regulation implementing Title VI of the Civil Rights Act of 1964 at 34 Code of Federal Regulations Part 100.

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 regulation implementing Title VI of the Civil Rights Act of 1964 and its implementing regulation at 34 Code of Federal Regulations Part 100, which were at issue in this case.

/S/
Northcentral University

December 2, 2014
Date