

Resolution Agreement
Laramie County Community College (College)
OCR Docket # 08-16-2050

The Laramie County Community College (College) voluntarily enters into this Resolution Agreement (Agreement) to ensure compliance with Title IX of the Education Amendments of 1972 and its implementing regulation at 34 Code of Federal Regulations Part 106, with respect to the allegation of retaliation raised in the above-referenced complaint. Specifically, the College has voluntarily agreed to resolve the allegation that it retaliated against the Complainant by issuing her a reprimand after she participated in a sexual assault investigation. By entering into this Agreement, the College does not admit any violation of Title IX or that it retaliated against the Complainant.

Training

1. The College will provide training to the xxxxxxxxxxxxxxxxxxxxxxxx and the xxxxxxxxxxxxxxxxxxxxxxxxxxxx on the Title IX regulation at 34 C.F.R. §§ 104.71, which incorporates the Title VI regulation at 34 C.F.R. § 100.7(e), which prohibits retaliation. In particular, the training shall inform participants of the Title IX prohibition on retaliation, including but not limited to the elements of a *prima facie* claim of retaliation, the type of acts that may be considered to constitute protected activity, adverse actions, or legitimate non-retaliatory reasons for an employer's action, and an explanation of pretext.

REPORTING REQUIREMENTS: By November 15, 2016, the College will provide OCR documentation of the completed training, including sign-in sheets with participants' names and positions, agendas, all materials distributed, and a written explanation of the trainer's qualifications and summary of the training provided.

Individual Remedies

2. The College will ensure that no record of the verbal warning remains in the Complainant's employee file or any other College record. In addition, if at any time the College is asked for a reference regarding the Complainant, it will not disclose any information relating to the verbal warning or the Complainant's conduct that gave rise to the warning. Finally, the College will send by certified mail a letter to the Complainant that it has removed all documentation of the verbal warning from her employee file.

REPORTING REQUIREMENT: By November 15, 2016, the College will provide OCR with a complete copy of the Complainant's employee file, demonstrating that no documentation of the verbal warning remains. If the College does not maintain an employee file for the Complainant, it will provide a written statement from the College's Human Resources Director explaining the steps taken to ensure that no record of the verbal warning remains in any file associated with the Complainant.

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REPORTING REQUIREMENT: By November 15, 2016, the College will provide OCR with a report describing the steps it has taken to ensure that no reference to the verbal warning will be provided to any employer who requests information about the Complainant's employment with the College.

REPORTING REQUIREMENT: By November 15, 2016, the College will provide OCR a copy of the letter to the Complainant and documentation that it sent the letter to the Complainant by certified mail.

The College 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 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 OCR to determine whether the College has fulfilled the terms of this agreement and is in compliance with the regulations implementing Title IX Regulation at 34 C.F.R. § 106.71 which was at issue in this case.

The College understands that OCR will not close the monitoring of this agreement until OCR determines that the College has fulfilled the terms of this agreement and is in compliance with the regulations implementing Title IX Regulation at 34 C.F.R. § 106.71 which was at issue in 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, 100.10), 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.

For the College

Date