

**RESOLUTION AGREEMENT
UNIVERSITY OF ADVANCING TECHNOLOGY
CASE NUMBER 08-16-2062**

This Agreement resolves the allegations in Case Number 08-16-2062 against the University of Advancing Technology and opened by the U.S. Department of Education, Office for Civil Rights (OCR) pursuant to Title VI of the Civil Rights Act of 1964 and its implementing regulation at 34 C.F.R. Section Part 100.

During the course of OCR's investigation, before OCR had made any findings about the allegations, the University indicated its willingness to enter into this Resolution Agreement. Pursuant to OCR's *Case Processing Manual*, a complaint may be resolved when, before the conclusion of an investigation, a recipient expresses an interest in resolving the allegations and issues, and OCR determines that it is appropriate to resolve them with an agreement during the course of an investigation. The University's decision to enter into this Agreement is not an admission of liability or wrong-doing, nor shall it be construed as such, and OCR expressly represents that no finding of liability or wrongdoing has been made. Rather, the University expressly acknowledges that it is entering into this Agreement in order to avoid any further costs and expenses associated with the OCR investigation.

University agrees to implement the following Resolution Agreement:

CONSULTANT AND TRAINING

The University will retain the services of one or more individuals¹ with expertise in the area of racial diversity and inclusion. The consultant will be approved by OCR. The consultant will provide training regarding the prevention of and response to possible racial discrimination. The training shall be provided to all staff, whether employed by the University directly or by a management company that contracts with the University, who are directly employed in the dormitory environment, or whose employment in any way involves participation in the dormitory disciplinary process. This includes administrators, counselors, and support staff. The training may be provided separately to those who work in separate departments. In all cases, the training will include, at a minimum:

- a. Instruction on what types of conduct demonstrates racial insensitivity, discrimination and the negative impact that such conduct may have on students;
- b. a review of the University's residence hall policies and procedures, including specific guidance on what constitutes racial bias, explicit or implicit (unconscious) and the University's responsibility for responding to such discrimination, and how to respond to it; and
- c. notice that failure to respond appropriately to notice of racial discrimination violates University policy and may result in the imposition of disciplinary sanctions.

¹ The University understands and agrees that the consultants may be individuals who regularly provide other services to the University, whether as a contractor for the University or a University employee,

In collaboration with its consultant, the University will also provide, on an annual basis, effective training for individuals with responsibility for conducting investigations on how to conduct and document adequate, prompt, reliable, and impartial investigations and appropriate standards to apply in reaching determinations (the “Annual Training”). The Annual Training shall take place no later than June 30 of each academic year during the term of this Agreement.

REPORTING REQUIREMENT:

By 30 days from the date of this Agreement, the University will provide a draft training plan to OCR for review and approval that includes the training materials and identifies the trainer(s) and their credentials for providing the proposed training.

REPORTING REQUIREMENT:

Within 30 days of receiving OCR’s approval of the training materials and the trainer(s), the University shall schedule the training, which shall occur no later than 90 days after receipt of OCR’s approval of the training plan. Within 30 days after all training is conducted, the University will notify OCR that it has provided the requisite training, including a description of the content covered, who provided the training and who participated.

REPORTING REQUIREMENT:

The University will notify OCR of completion of the Annual Training required by this Agreement by October 1, 2018, for the academic year 2017-2018, and by October 1, 2019, for the academic year 2018-2019, and on an annual basis until such time as OCR closes the monitoring of this case.

REPORTING REQUIREMENT:

By June 15, 2017 and June 15, 2018, the University will provide OCR with a report on the application of University discipline in the residence hall for the 2016-17 and 2017-18 academic years, respectively. This report will include the name and race/color/national origin of each disciplined student, the number and type of incident(s), and the resolution of any incident.

CONCLUSION

The University understands that OCR will continue to monitor compliance with and the implementation of this Agreement until the close of the 2018-2019 academic year. Further, in the event that OCR determines that the University has not fully complied with the Agreement, or that the University is otherwise not in compliance with the regulations implementing Title VI, OCR may extend its monitoring under this Agreement for an additional one year period.

The University understands that by signing this Agreement, it agrees to provide information to OCR in a timely manner in accordance with the reporting requirements of this Agreement. Further, the University understands that during the monitoring of the Agreement, OCR may make additional reasonable requests for information from the University, which may include interviewing University employees and students, and requests for such additional reports or data

as are necessary for OCR to determine whether the University has fulfilled the terms of this Agreement and is otherwise in compliance with the regulation implementing Title VI. OCR agrees to provide the University with reasonable notice in advance of such requests.

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.

For University of Advancing Technology:

[Name]
[Title]

Date