

RESOLUTION AGREEMENT

Santa Fe University of Art and Design OCR Case Number 08-16-2209

In order to resolve issues of noncompliance in Case Number 08-16-2209, filed against Santa Fe University of Art and Design ("University") and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR) pursuant to Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681 *et seq.*, and its implementing regulation, 34 C.F.R. Part 106, the University agrees to implement the following Resolution Agreement.

1. The University will provide sexual harassment training for theater department staff, faculty and administrators and all staff and administrators responsible for the handling and investigating of complaints of sexual harassment. The University will ensure that all theater department staff, faculty and administrators are provided with the sexual harassment training. The on-line training will cover the University's revised Title IX policies and grievance procedures and provide instruction on preventing, recognizing and appropriately addressing allegations and complaints pursuant to Title IX, including sexual and gender-based harassment, sexual assault and sexual violence. The training will also address the University's responsibilities under Title IX to investigate allegations of harassment, and whether such allegations are potential discipline or criminal concerns. Additionally, the University will provide training to the Title IX Coordinator and Director of Student Life regarding how to conduct and document adequate, reliable, and impartial Title IX investigations, including the appropriate legal standards to apply in a Title IX investigation. The University shall require all theater department personnel to complete the training on an annual basis. .

REPORTING REQUIREMENT 1:

By December 9 , 2016, the University will provide OCR for approval its draft training materials and will identify who developed the training and provide his/her qualifications.

2. Within 60 calendar days of receiving OCR approval of the proposed training materials, the staff, faculty and administrator training specified in Agreement Item 3 will be provided to the theater department.

REPORTING REQUIREMENT 2:

Within **20 calendar days** of providing the training described in Agreement term 3, the University will provide OCR with documentation that the required faculty and staff completed the on-line training. .

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 the Agreement, if necessary, OCR may visit the University, interview University employees 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(a) and (b), which were at issue in this case.

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 regulation implementing Title IX at 34 C.F.R. §§ 106.8(a) and (b).

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 Santa Fe University of Art and Design:

<u> /S/ </u>	<u> 11/29/16 </u>
Maria Puzziferro	Date
Interim President	