

RESOLUTION AGREEMENT

College of the Canyons
OCR Case No. 09-16-2033

The College of the Canyons (College), without admitting to any violation of law, agrees to implement this Resolution Agreement (Agreement) as stated below by the U.S. Department of Education, Office for Civil Rights (OCR), under Title IX of the Education Amendments of 1972 and its implementing regulations.

I. POLICIES AND PROCEDURES

a. The College will amend AP 3410 (“Nondiscrimination”), AP 3430 (“Prohibition of Harassment”) and AP 3435 (“Discrimination and Harassment Investigations”) to state:

- i. With respect to the informal resolution process, both parties shall receive notice that informal resolution is voluntary and can be ended at any time and that they have the right to request a formal investigation;
- ii. Both parties to a sexual harassment investigation complaint shall receive notice of the outcome;
- iii. Any student or employee can file a complaint of sexual harassment based on observation or other reliable information, regardless if they are acting in their official capacity or were personally impacted;
- iv. Appeal rights are provided to the responding party; and
- v. If a complaint includes allegations that are actionable under Title IX, the College will provide a prompt and equitable process, as required by Title IX.

b. Notice of Nondiscrimination

The College will ensure that the notice of nondiscrimination complies with the Title IX requirements at Section 106.9(a) and is included in the College’s website and employment application form. Each notice of nondiscrimination will include the following additions:

- i. Consistent identification of the name or title of the person(s) who the College is designating as the Title IX Coordinator and the address and phone number for that person(s).
- ii. A statement that students may direct inquiries regarding Title IX to OCR.

c. Training

- i. The College will provide training regarding the College's revised policies and procedures for Title IX reports to College personnel involved in responding to complaints of sexual harassment, including the requirement of informing students who provide notice of alleged sexual harassment how to file a Title IX complaint under the policies and procedures.
- ii. The College will ensure that the training materials will include a requirement for all offices on campus to forward any complaints of possible sex-based harassment to the Title IX office.

d. Reporting Requirements

- i. By 60 days of signing this Agreement, the College will provide OCR with a draft of the revised policy and procedure for review and approval.
- ii. Within 120 days of receipt of OCR's approval, the College will provide documentation to OCR showing that it has adopted the revised policy and procedure and distributed it to staff, faculty, and students, including by providing links to the updated website, a copy of the electronic mail message, and a copy of and/or link to any updated printed publications containing the revised policy and procedure, such as the student handbook.
- iii. By 30 days of signing this Agreement, the College will provide OCR with a draft of the revised notice of nondiscrimination for OCR review and will adopt the revised notice of nondiscrimination within 30 school days after approval from OCR and provide documentation showing that it has been published and distributed as set forth in section I.b.
- iv. Once the College adopts the revised policy and procedure, the College will not substantially modify it prior to fully implementing the Agreement without the review and approval of OCR. All requests to modify such policy and procedure must be made in writing at least 90 days before the College proposes to adopt the modification.
- v. By March 1, 2019, the College will provide OCR with a draft of proposed training materials and the name and title of the trainer for review and approval. The College will implement the training within 60 days of OCR review and approval and provide documentation that the training has been provided, including a copy of the training materials, dates(s), the name and contact information of the individual(s) who conducted the training, and the sign-in sheet identifying the name and position of each individual who received the training, along with a list of College employees within 15 days of completion.

II. MONITORING

The College understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the College understands that during the monitoring of this Agreement, 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. Upon the satisfaction of the commitments made under the Agreement, OCR shall close the 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) days to cure the alleged breach.

_____/s/_____
Dr. Diane Fiero
Vice President of Human Resources

11/07/2018
Date