

Resolution Agreement
Argosy University, San Francisco Bay Area
OCR Case Number 09-16-2226

In order to resolve the issues investigated and concerns identified in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR) under Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulations, Argosy University, San Francisco Bay Area (the University) agrees to the terms of this Agreement. The University agrees to fully implement the terms below:

I. Actions and Reporting

A. Notice of Nondiscrimination

1. The University will revise its Notice of Nondiscrimination to include all of the following information: 1) that the University is required by Title IX not to discriminate on the basis of sex; 2) that questions regarding Title IX may be referred to the University's Title IX Coordinator or to OCR; and 3) to identify the University's Title IX Officer(s) by name or title with current contact information including office address, phone number, email address, any other job title the Coordinator might have, and 4) any information about the officers' or other individuals' roles and responsibilities with regard to Title IX compliance at the San Francisco Bay Area campus.
2. The revised Notice of Nondiscrimination will be posted prominently on the University's website, including on its San Francisco Bay Area campus website, as well as in non-digital media, including but not limited to any bulletins, announcements, publications, catalogs, application forms, or recruitment materials distributed to the school community, including all applications for admission and employment, employees, sources of referral of applicants for admissions and employment, and all unions or professional organizations holding collective bargaining or professional agreements with the University.
3. Reporting Requirement: By May 1, 2017 the University will provide OCR with a draft of its revised Notice of Nondiscrimination. Within ninety (90) days of OCR's approval, the University will post the final version of the revised Notice of Nondiscrimination in the locations identified in Section I.A(2) and notify OCR that it has been posted.

B. Title IX Coordinator

1. The University will publicize on its website the name or title of its Title IX Officer and current contact information including phone number, office location, and email address. If the University designates Deputy Title IX Coordinators or other individuals to carry out the responsibilities of the Title IX Coordinator on the University's San Francisco Bay Area campus, the contact information for these individuals and their functions with regard to Title IX compliance, including identifying which individual has ultimate oversight of Title IX-related investigations, will be published on the website for the University's San Francisco Bay Area campus as well.
2. The information in section I.B(1) will also be included and posted separately in the University's "Sexual Misconduct and Relationship Violence Policy; Procedures for Handling Sexual Misconduct and Relationship Violence Complaints" (Sexual Misconduct Policy and Procedures).
3. The University will ensure that all its Title IX officers, including Deputy Title IX Coordinators and other individuals with Title IX-related complaint investigation duties on the San Francisco Bay Area campus, receive appropriate training and possess comprehensive knowledge in all areas over which they have responsibility in order to effectively carry out those responsibilities, including training in the University's policies and procedures related to sex discrimination/sexual harassment and all complaints raising Title IX issues.
4. Reporting Requirements:
 - a. By May 1, 2017, the University will provide OCR with a draft of the revised Title IX Coordinator information listed in section I.B(1). Within thirty (30) days of OCR's approval, the University will post this information on its national and San Francisco Bay Area campus websites, including in its Sexual Misconduct Policy and Procedures.
 - b. By May 1, 2017, the University will provide OCR with information about the training of all its Title IX compliance staff with duties related to the University's San Francisco Bay Area campus, including the names and titles of the staff trained, their roles in responding to and investigating Title IX-related complaints, the content of the training including the provider, and the date the training was completed or will be completed.
 - c. By September 1, 2017, the University will provide OCR with confirmation that all its Title IX compliance staff with duties related to the University's San Francisco Bay Area campus have completed appropriate training.

C. Revision of Sexual Misconduct Policy and Procedures

1. By June 1, 2017, the University will revise section III.C. (“Response Procedure – Interim Intervention”) of its Sexual Misconduct Policy and Procedures to include that the University will take steps to prevent the recurrence of harassment and to correct its discriminatory effects on the complainant and others, if appropriate.
2. By June 1, 2017, the University will revise section III.E. (“Response Procedure - Investigations”) of its Sexual Misconduct Policy and Procedures to create an investigation process for cases where the Respondent is a Third Party, as well as to identify the individual responsible for receiving and investigating complaints of discrimination and harassment at practicum sites, if not the University’s Title IX Coordinator.
3. By June 1, 2017, the University will revise section III.F. (“Response Procedure - Determinations”) of its Sexual Misconduct Policy and Procedures to create a process to make determinations in cases where the Respondent is a Third Party, and to ensure that any notice of outcome includes findings of fact and a justification for the decision based on appropriate legal standards.
4. The University agrees to inform students, prior to placement at practicum sites, that the University’s Sexual Misconduct Policy and Procedures apply to complaints of sexual harassment/sexual misconduct at practicum sites, and that reports or complaints of such conduct should be made to the Director of Clinical Training.
5. Reporting Requirements:
 - a. By June 1, 2017 the University will provide OCR with a draft of its Sexual Misconduct Policy and Procedures revised to include the information identified in Sections I.C(1-3) and an assurance that it will inform students prior to their practicums placements as specified in I.C(4). Within sixty (60) days of OCR’s approval, the University will distribute the final version of the revised Sexual Misconduct Policy and Procedures to University faculty, staff, and students and notify OCR that it has been distributed.

II. **Monitoring**

The University understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the University understands that, during the monitoring of this Agreement, OCR may visit the University, interview University staff, 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 Title IX and its implementing regulation, which was 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 Title IX and its implementing regulation, which was at issue in this case.

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.

_____/s/_____
Robert Kelley
Vice President and Senior Counsel
Education Management Corporation

_____04/04/2017_____
Date