

## RESOLUTION AGREEMENT

Lower Columbia College (the college), without admitting to any violation of the law, enters into this Agreement with the U.S. Department of Education, Office for Civil Rights (OCR) to resolve the allegation of a complaint (OCR Reference No. 10172133) filed with OCR under Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulation at 34 C.F.R. Part 100.

### I. RESOLUTION PROVISIONS

#### A. Policy and Procedures

1. The college will review and revise, as necessary, its written policies, and procedures (revised procedures) regarding removal of persons from campus to ensure they are consistent with the requirements of Title VI and its implementing regulation at 34 C.F.R. Part 100 to ensure non-discriminatory application of the procedures, including an express statement that the college does not discriminate based on race, color or national origin in this regard.

#### Reporting Provisions

2. By July 30, 2018, the college will submit to OCR, for its review and approval, the revised procedures developed in accordance with section I.A, above. If OCR requires changes to the revised procedures, the college will re-submit them within 30 calendar days of receiving notice of the required changes. The college and OCR will follow this same process until OCR approves the revised procedures.
3. Within 30 days of receiving OCR's approval of the revised procedures, the college will provide documentation to OCR demonstrating the college has adopted and implemented the revised procedures, such as a copy of the materials and publications containing this information or a link to the on-line version of the materials and publications.
4. If OCR requires changes to the college's Washington Administrative Code (WAC), the deadline to provide documentation to OCR demonstrating the college has adopted and implemented the revised procedures will be extended beyond 30 days to accommodate the time frame for rule making required under RCW Chapter 34.05 Part III and WAC 1-21.

B. Training

1. The college will develop and implement a comprehensive training for all college security personnel. The training will include, but need not be limited to:
  - a. a description of Title VI and its implementing regulation at 34 C.F.R. Part 100, including definitions, scope and prohibited conduct;
  - b. employee duties and responsibilities under Title VI and its implementing regulation at 34 C.F.R. part 100;
  - c. the college's procedures regarding removal of persons from campus including the non-discrimination provision;
  - d. examples of scenarios of campus removals that could implicate Title VI including effective methods for security personnel to use to ensure the procedures are applied in a non-discriminatory manner;
  - e. the college's policies and procedures regarding discrimination, including harassment, on the bases of race, color, and national origin;
  - f. employee duties and responsibilities under college policy and procedures;
  - g. effective methods and protocol for security personnel to use when responding to allegations or reports of alleged race, color, and national origin-based discrimination; and
  - h. the contact information (name, title and telephone number) for the designated college staff member responsible for addressing questions and concerns concerning issues under Title VI.

Reporting Provisions

2. By September 30, 2018, the college will submit to OCR for review and approval a copy of the training materials and agenda (training materials) to be used. OCR will review the training materials and notify the college if revisions are required. If OCR requires changes to the training materials, the college will re-submit them within 30 calendar days of receiving notice of the changes. OCR

and the college will follow this same process until OCR approves the training materials.

3. Within 60 days of written notification from OCR of its approval of the training materials, the college will provide documentation to OCR demonstrating that it has provided the training referenced in section I.B., which will include a copy of all training materials presented and distributed during the training, and a roster of attendees.

C. Individual Remedy

1. By 30 days from the date that OCR has approved the college's revised procedures, the college will provide a letter to the complainant: (1) informing him that the college is committed to ensuring that all students, faculty, staff, and visitors are protected from discrimination on the bases of race, color and national origin; (2) providing a copy of the revised procedures developed in accordance with section I.A, above; and (3) describing the steps that the college has agreed to take to ensure that all campus security personnel understand the requirements of and their individual responsibilities under Title VI and its implementing regulation at 34 C.F.R. Part 100.

Reporting Provision

2. By 2 weeks from the date the college provides the letter to the complainant, the college will provide OCR with a copy of the letter described above.

II. GENERAL PROVISIONS

- A. The college understands that by signing this Agreement, it agrees to provide OCR data and other information in a timely manner in accordance with the reporting requirements of the 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. Upon the college's satisfaction of the commitments made under the Agreement, OCR will close the case.
- B. 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 under 34 C.F.R. §§ 100.9 and 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.

Signed:

\_\_\_\_\_/s/\_\_\_\_\_  
Christopher Bailey  
President, Lower Columbia College

\_\_\_\_\_June 1, 2018\_\_\_\_\_  
Date