

Resolution Agreement
Miami-Jacobs Career College
OCR Docket #15-16-2086

Miami-Jacobs Career College (the College) submits to the U.S. Department of Education, Office for Civil Rights (OCR), this Resolution Agreement to resolve the above-referenced complaint investigation and to ensure compliance with Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106.

Action Steps

- I. By **October 2, 2017**, the College will draft Title IX grievance procedures to comply with the requirements of the Title IX regulation at 34 C.F.R. §106.8(b). The grievance procedures will incorporate appropriate due process standards and provide for the prompt and equitable resolution of student and employee complaints alleging any action prohibited by Title IX, including sexual harassment. At a minimum, the grievance procedures will include:
- a. notice of the name and/or position title, office address, telephone number, and e-mail address for each individual(s) designated to ensure the College's compliance with Title IX;
 - b. notice to students and employees of the procedure for filing a complaint, including how, where, and with whom complaints may be filed;
 - c. notice that the procedure applies to complaints alleging sex discrimination carried out by College employees, students, or third parties;
 - d. provision for the adequate, reliable, and impartial investigation of complaints, including the opportunity for the parties to identify witnesses and other evidence;
 - e. designated and reasonably prompt timeframes for each of the major stages of the complaint process, including the investigative process;
 - f. if the College includes an informal resolution mechanism, clarification that the process is voluntary and both parties must agree to it, and that it is not appropriate for an individual who is complaining of sexual harassment to be required to work out the problem directly with the individual alleged to be harassing him or her and that, in some cases, such as alleged sexual assaults, mediation will not be appropriate even on a voluntary basis; and provision for notice to the complainant of the right to end the informal process at any time and begin the formal state of the complaint process;
 - g. an assurance that steps will be taken to prevent recurrence of any discrimination found to have occurred and to remedy its effects on the complainant and others, if appropriate;
 - h. provision for written notice to both parties of the outcome of the complaint, including any appeal;
 - i. if an appeal process is provided, an appeal process that is available to both parties on an equitable basis; and
 - j. if OCR is referenced, current contact information for OCR.

Reporting Requirement: By **October 2, 2017**, the College will submit to OCR for review and approval its Title IX grievance procedures.

- II. Within 60 calendar days of receipt of the OCR-approved Title IX grievance procedures, the College will adopt and implement the grievance procedures. The College will also notify all students and employees of the newly revised policies and procedures and will post them on its website. The notification will occur by written correspondence, e-mail, or both and shall provide information of where the procedures are located on its website and, alternatively, where they may request or obtain a written copy of the procedures.
- III. Within 60 days of receipt of the OCR-approved Title IX grievance procedures, the College will provide training to its Title IX coordinator(s) and the administrators at the College's open campuses on Title IX and its implementing regulation, focusing on the Title IX prohibition against sexual harassment, the role of the Title IX coordinator, and Title IX's requirements regarding processing sex discrimination complaints, including but not limited to Title IX's requirements related to the provision of a prompt and equitable resolution to Title IX grievances. The training will also cover the College's OCR-approved Title IX grievance procedures.

Reporting Requirements: Within 60 calendar days of receipt of the OCR-approved Title IX policies and procedures the College will submit information to OCR documenting the implementation of items II and III, including copies of the written notification issued to students and employees the link to the procedures on the College's website, and information regarding training it provided to its Title IX coordinators and administrators regarding Title IX and the College's Title IX grievance procedures. The documentation will include, at a minimum, the date(s) of the training; the name(s), title(s), and qualifications of the trainer(s); a copy of any materials used or distributed during the training; who was required/invited to attend the session; and a sign-in sheet with the names and titles of the individuals who attended the training or other proof that training was completed.

General Requirements

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 and is in compliance with Title IX and its implementing regulation at 34 C.F.R. § 106.8(b), which was at issue in this complaint.

The College understands that OCR will not close the monitoring of this Agreement until such time that OCR determines that the College has fulfilled the terms of this Agreement and is in compliance with Title IX and its implementing regulation at 34 C.F.R. § 106.8(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 (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) calendar days to cure the alleged breach.

/s

President or Designee

9/5/17

Date