

**Resolution Agreement  
Occidental College  
OCR Case No. 09-13-2264**

Occidental College (the College) and the U.S. Department of Education, Office for Civil Rights (OCR) enter into this Resolution Agreement (Agreement) in connection with the above-referenced complaint. OCR makes no finding of noncompliance, and the College makes no admission of noncompliance. Nevertheless, to ensure continuing compliance with Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681-1688, and its implementing regulation at 34 C.F.R. Part 106, the College hereby voluntarily agrees to the following.

**A. Training**

1. Within 45 days of the execution of this Agreement, and with technical assistance from OCR, the College will develop mandatory annual training for all regular staff and faculty regarding retaliation under Title IX and its implementing regulations and the grievance process available to respond to allegations of retaliation, with a specific focus on the definition of protected activity. This mandatory training may be a part of the College's annual Title IX training programs.

**Reporting Requirements**

1. Within 60 days of the execution of this Agreement, the College will provide for OCR review and approval the training materials to be used for the training required in A(1) and the name and qualifications of the trainer.
2. Upon approval of the training materials and trainer by the OCR, and starting in the fall of the 2016-17 school year, the College will conduct the training and provide OCR with documentation showing that it has done so, including the list of attendees and materials provided.
3. The College also agrees to perform this training in the fall of the 2017-18 and 2018-19 school years. The College will provide documentation that the training in (A)(1) has been offered by no later than December 31, 2016, December 31, 2017, and December 31, 2018.

**B. Climate Survey and Ongoing Process of Review and Revision**

1. The College will continue to perform, during the term of this Agreement, an annual student survey to assess whether a hostile environment, based on issues arising out of sexual misconduct, exists on the College campus and to assess students' understanding about what sexual harassment is and how to prevent it, and the process for reporting and investigating sexual harassment on campus. A survey similar to the climate survey utilized in 2015 will be provided for OCR review and approval. The College will use the results of the student survey to consider revisions to policy, training, education, and outreach for students, faculty, and staff and to determine whether any additional measures are needed to (a) ensure a climate where students

feel safe and supported, (b) provide a prompt and equitable response to reports and complaints of sexual harassment and violence, and (c) prevent sexual harassment and violence or its recurrence and remedy any effects.

2. The College will develop and initiate an annual survey for faculty and staff to assess whether a hostile environment, based on issues arising out of sexual misconduct, exists on the College campus between the College's employees and students, and to assess whether faculty and staff understand what sexual harassment is and how to prevent it, their responsibilities related to implementation of the Policy, and the process for reporting and investigating sexual harassment on campus. The College will use the results of the survey to consider revisions to policy, training, education, and outreach for students, faculty, and staff and to determine whether any additional measures are needed to (a) ensure a climate where students feel safe and supported, (b) provide a prompt and equitable response to reports and complaints of sexual harassment and violence, and (c) prevent sexual harassment and violence or its recurrence and remedy any effects.

### **Reporting Requirements**

1. By September 15, 2016, the College will provide OCR with a draft of the proposed annual student, faculty and staff surveys for review and approval. After approval of the surveys by the OCR, the College will distribute the surveys to its community for response. The surveys will be distributed each year, while this Agreement is in effect, by November 30<sup>th</sup>.
2. By March 1<sup>st</sup>, and by the same date in each year thereafter while this Agreement is in effect, the College will provide OCR with documentation showing that it has administered the annual surveys and has considered revisions to policy, training, education, and outreach for students, faculty, and staff, and any additional measures necessary to (a) ensure a climate where students feel safe and supported; (b) provide a prompt and equitable response to reports and complaints of sexual harassment and violence; and (c) prevent sexual harassment, including sexual violence. Such documentation shall include the aggregate results of the survey, any meeting minutes or notes taken by the Title IX Coordinator (or her designee) related to a discussion of the results with staff, faculty, students and College community members, and any changes to the College's plan for policy, training, education and other prevention measures. Any revisions to the College's Policy or plans for training, education, or other prevention measures will be provided to OCR for review and approval.
3. By May 1, 2017, May 1, 2018, and May 1, 2019, the College will provide the aggregate results of the annual surveys to staff, faculty, students and the College community in an accessible format along with any proposals for changes to policy, training, education and other measures, as approved by OCR.

**C. Process for Ensuring Prompt Resolution of Complaints**

During the 2016-17, 2017-18, 2018-2019 school years, the College will conduct an annual review of complaints/reports of sexual harassment, including sexual violence, and the timeline for resolution of such complaints, including the timeline for each of the stages in the process, which currently include the initial meeting, first and second threshold determinations, investigation, sanctions and appeal, and review the results to determine whether any changes to policy or practice are needed to ensure a prompt and effective resolution of the complaints/reports.

**Reporting Requirement**

By June 30, 2017, June 30, 2018, and June 30, 2019, the College will provide OCR with a summary of the results of the annual review, including its assessment of whether the resolution process was prompt and the complaint files that the College reviewed in creating the summary. The College will provide any proposals for addressing concerns identified as a result of the annual review to OCR for review and approval.

**D. General Requirements**

If OCR has any objections to the documents, recommendations or other items required to be submitted for review and approval by OCR under this Agreement, OCR will notify the College in writing of its objections after receiving the draft documents.

The College 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, 106.9, and 106.31, which were at issue in this case.

The College 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 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 and is in compliance with regulation implementing Title IX, at 34 C.F.R. §§ 106.8, 106.9, and 106.31, which were at issue in this 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 will give the College written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

\_\_\_\_\_/s/\_\_\_\_\_  
Jonathan Veitch, President

\_\_\_\_\_  
06/08/2016  
Date