

Voluntary Resolution Agreement

Swarthmore College
OCR Docket Number 03152352

In order to resolve the allegations 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, U.S.C. §§ 1681, and its implementing regulation, 34 C.F.R. Part 106, Swarthmore College (the "College") voluntarily enters into this Resolution Agreement (the Agreement) and commits to implement the provisions set forth in this agreement in order to resolve the allegations in this complaint. This Agreement does not constitute an admission of liability on the part of the College and does not constitute a determination by OCR of any violation of any regulations enforced by OCR.

Action Step #1

Within 30 days of the date of the Agreement, the College will disseminate a memorandum to all staff and administrators at the College who are involved in the investigation and/or resolution of Title IX sex discrimination (including sexual assault and sexual harassment) complaints, reminding them of their obligation to promptly and equitably respond to all Title IX complaints, in accordance with the procedural requirements of Title IX and its implementing regulation at 34 C.F.R. Part 106.

Reporting Requirement: Within 45 days of the date of the Agreement, the College will provide OCR with a copy of the memorandum distributed pursuant to Action Step #1 above, a list of the persons who received the memorandum, and an explanation of the manner in which it was distributed.

Action Step #2

xx – paragraphs redacted – xx

The College understands that OCR will not close the monitoring of this Agreement until OCR determines that the College has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Title IX at 34 C.F.R. § 106.31, which is at issue in this complaint.

The College understands that by signing this Agreement, it agrees to provide data and other information in a timely manner pursuant to federal regulations. Further, the College understands that during the monitoring of this Agreement, OCR may, pursuant to federal regulations, visit the College, interview staff, and students and request such additional reports or data as are reasonably necessary for OCR to determine whether the College has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Title IX at 34 C.F.R. § 106.31, which is at issue in this complaint.

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. This Agreement does not create any third party rights to any other person or entity, including the Student.

/s/

February 18, 2016

College President (or designee)

Date