

Voluntary Resolution Agreement

Alderson Broaddus University

OCR Docket Number 03152387

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 VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulations, at 34 C.F.R. Part 100, Alderson Broaddus University (the University) 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 University and does not constitute a determination by OCR of any violation of any regulations enforced by OCR.

Notice of Non-Discrimination

1. By December 30, 2015 the University will submit for OCR's review and approval a Notice of Nondiscrimination that: (a) specifies the bases for non-discrimination in its education programs and activities and (b) identifies by name or title, address, telephone number, and email address the individual(s) responsible for coordinating the University's compliance with the civil rights laws listed in the Notice of Nondiscrimination, including Title VI.
2. Within 45 calendar days of written approval from OCR that the University's Notice of Nondiscrimination is consistent with Title VI requirements, the University will ensure that its student handbook, catalogs, website and application forms that it makes available to University students and University employees that provide information to employees and students about University services and policies, contain the Notice of Nondiscrimination. Inserts may be used pending reprinting of these publications.

Reporting Requirement: By December 30, 2015, the University will provide OCR with a copy of its draft Notice of Nondiscrimination for review and approval, in accordance with Action Step 1 of the Agreement. Within 60 days of OCR's written approval of the Notice of Nondiscrimination, in accordance with Action Step 2, the University will provide OCR with documentation demonstrating that it has disseminated and published the Notice of Nondiscrimination in each of its electronic and printed publications of general distribution.

Racial Discrimination Policy

3. By January 30, 2016, the University will submit for OCR's review and approval a draft policy, including grievance procedures, prohibiting racial discrimination (Racial discrimination Policy), including the discrimination of students by other students and the discrimination of students by administrators, staff, and other University employees. At a minimum, the University's Racial Discrimination Policy will contain the following:
 - a. notice to students and employees of the grievance procedures, including where complaints may be filed;
 - b. application of the grievance procedures to complaints filed by students alleging discrimination carried out by employees, other students, or third parties;
 - c. provisions for adequate, reliable, and impartial investigation of complaints, including the opportunity for both the complainant and alleged perpetrator to present witnesses and evidence;

- d. designated and reasonably prompt time frames for the major stages of the complaint process;
- e. written notice to the complainant and alleged perpetrator of the outcome of the complaint; and
- f. an assurance that the University will take steps to prevent recurrence of any discrimination and remedy discriminatory effects on the complainant and others, if appropriate.

Reporting Requirements Within 45 calendar days of written approval from OCR that the University's Racial Discrimination Policy is consistent with Title VI requirements, the University will adopt and implement the procedures and will provide all students and employees with written notice regarding the new policy for addressing and resolving Title VI complaints together with information on how to obtain a copy of the policy. The University, at a minimum, will make this notification through the University's website, electronic mail messages to employees and students, and any regularly issued newsletters (in print or online), as well as by any other additional means of notification the University deems effective to ensure that the information is widely disseminated.

Training

4. Within 45 calendar days of written approval from OCR that the University's Racial Discrimination Policy is consistent with Title VI requirements, the University will provide training to all University administrators and staff involved in the investigation of the Student's complaint on the policies and procedures referenced in Action Steps 1 through 3 of the Agreement. The training will specifically address the responsibility administrators and faculty to report incidents of possible discrimination and the procedures for doing so, and provide instruction on how to recognize, take steps reasonably designed to prevent and respond appropriately to such discrimination. The University may request OCR Philadelphia staff to assist in providing the training.

Reporting Requirements: By May 30, 2016, the University will provide OCR with a report demonstrating implementation of Action Step 4 of the Agreement. Specifically, the University will provide documentation indicating the dates of the training, information regarding the trainers and sign in sheets reflecting the employee name and titles, topics covered during the training sessions and copies of the materials used in the training.

Data Maintenance

5. On annual basis, the University will maintain the following data for the University:
 - a. all written reports and a written narrative describing all oral reports of incidents involving allegations of discrimination based on race, color or national origin;
 - b. a narrative of all actions taken in response to the reports, including any written documentation;
 - c. documentation demonstrating any remedial efforts offered and provided to the victim of the incidents, such as counseling, tutoring or other appropriate services; and,
 - d. a narrative of all action taken to prevent recurrence of the incidents, including any written documentation.

Reporting Requirement: By June 1, 2016, and June 1, 2017, the University will provide OCR, for review and approval, documentation from Action Step 5, including all written

reports or a written narrative describing all oral reports of racial discrimination incidents at the University during the 2015-16 school year, a narrative of all actions taken in response to the reports, including written documentation, a copy of all disciplinary sanctions, documentation of remedial efforts offered and provided to the victim, and a narrative of all action taken to prevent the recurrence of the incidents.

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 the regulation implementing Title IV at 34 C.F.R. Section 100.3, which were at issue in this complaint.

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 staff, and students 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 the regulation implementing Title IV at 34 C.F.R. Section 100.3, which were at issue in this complaint.

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/

11/12/15

University President (or designee)

Date