

**Resolution Agreement  
Salt Lake Community College  
Complaint Number 08-22-2021**

Salt Lake Community College (College) agrees to implement the following Resolution Agreement to resolve the pregnancy-related violations in Case Number 08-22-2021 that the Office for Civil Rights (OCR) of the U.S. Department of Education found under Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681-1688, its implementing regulation at 34 C.F.R. Part 106, Section 504 of the Rehabilitation Act of 1973 (Section 504), 29 U.S.C. §794, and its implementing regulation at 34 C.F.R. Part 104.

The College will promptly and fully address OCR’s feedback with regard to each Item below until the College receives notice from OCR that no further reporting is required for each Item.

**Policies, Procedures, and Training**

1. **Nondiscrimination Statement**

The College will revise its Nondiscrimination Statement, including the Notice provided to Students, to include reference to actual or potential parental, family, or marital status, including pregnancy and related conditions.

**REPORTING REQUIREMENTS:**

By June 22, 2022, the College will submit to OCR a “department rule” (a written directive that applies to a specific department of the College), as an interim revision to its Nondiscrimination Statement, consistent with this Agreement Item and the Title IX Regulation.

By July 31, 2022, after responding to all OCR feedback regarding the proposed department rule, the College’s Vice President for Student Affairs will adopt and publish the approved department rule. The College will provide OCR sufficient documentation to show that the department rule has been adopted and published.

By November 30, 2022, the interim department rule and any subsequent revisions, as approved by OCR, will be adopted as the College’s formal Nondiscrimination Statement by the College’s Board of Trustees or Executive Cabinet. Within fifteen (15) calendar days of Board approval of the OCR-approved Nondiscrimination Statement, the College will widely publish the revised Nondiscrimination Statement, including but not limited to, on its website and in online student handbooks or any online Code of Student Rights and Responsibilities. The Nondiscrimination Statement should be discoverable with a search for “Nondiscrimination Statement” on the website. The College will provide OCR sufficient documentation to show that the Nondiscrimination Statement as described in this Item has been adopted and widely disseminated to the College community.

By July 31, 2023, the College will publish the Nondiscrimination Statement in printed and online versions of its student and employee handbooks. The College will provide OCR with documentation of where the Nondiscrimination Statement has been published.

2. Grievance Procedures

The College will revise its grievance procedures to include information regarding students' opportunity to file a grievance based on alleged pregnancy discrimination, including grievances related to different treatment based on pregnancy, exclusion from the College's programs or activities based on pregnancy, or the College's failure to excuse pregnancy-related absences or provide appropriate academic adjustments in the same manner as it provides academic adjustments to students with temporary disabilities.

**REPORTING REQUIREMENTS:**

By June 22, 2022, the College will submit to OCR a department rule, as an interim revision to its revised grievance procedures, consistent with this Agreement Item and the Title IX Regulation.

By July 31, 2022, after responding to all OCR feedback regarding the proposed department rule, the College's Vice President for Student Affairs will adopt and publish the approved department rule described in this Item. The College will provide OCR with sufficient documentation to show the department rule has been adopted and published.

By November 30, 2022, the interim department rule and any subsequent revisions, as approved by OCR, will be adopted as the College's formal grievance procedures by the College's Board of Trustees or Executive Cabinet. Within fifteen (15) calendar days of Board approval of the OCR-approved grievance procedures, the College will widely publish the grievance procedures on its website. The grievance procedures should be discoverable with a search for "discrimination grievance procedures" on the website. The College will provide OCR sufficient documentation to show the grievance procedures as described in this Item have been adopted and widely disseminated to the College community.

By July 31, 2023, the College will publish the grievance procedures in printed versions of its student and employee handbooks.<sup>1</sup> The College will provide OCR with documentation to show where the procedures have been published.

3. Web Page and Other Published Materials

The College will provide information on its Title IX and Disability Resource Center (DRC) webpages that describes the process under which pregnant students can seek academic adjustments. The webpages must contain information about:

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<sup>1</sup> OCR notes that it is acceptable for the College to print an abridged version of the grievance procedure in these Handbooks provided it includes a link to the full version of the policies with the abridged version.

- (a) the rights of pregnant students under Title IX;
- (b) how to request academic adjustments, special services, excused absences, or leaves of absence;
- (c) the process the College follows to determine appropriate academic adjustments and special services;
- (d) the process available to students if the College denies requested academic adjustments or special services; and
- (e) the process the College uses to determine when a requested academic adjustment constitutes a fundamental alteration of a program or activity.

In addition, the College will revise, as necessary, any published procedures (e.g., its ADA and Reasonable Accommodation Policy, Code of Student Rights and Responsibilities, and Anti-Discrimination and Harassment policy) to include information about or a link to the process under which pregnant students can seek academic adjustments, special services, excused absences, or leaves of absence as described above.

**REPORTING REQUIREMENTS:**

By June 22, 2022, the College will submit to OCR a draft web page, consistent with this Agreement Item and the Title IX Regulation.

By July 31, 2022, after responding to all OCR feedback regarding the proposed web page, the College will widely publish it on both the Title IX and DRC web pages.

Within fifteen (15) days of the College’s Board of Trustees or Executive Cabinet’s approval of the Nondiscrimination Statement and grievance procedures described in Items 1 and 2 of this Agreement, the College will update the website to reflect any changes to either that occurred during the Board (or Cabinet) approval process.

4. Notice to College Community

After the College publishes the department rules and the Board (or Cabinet) approves the Nondiscrimination Statement and grievance procedures, the College will provide notice, via email, to all College employees and students of all the information required by Items 1 and 2. The email will contain a short description of the College’s revisions to its Nondiscrimination Statement and grievance procedures and links to all related information published on its website.

**REPORTING REQUIREMENTS:**

By August 15, 2022, the College will provide OCR with a copy of the email issued to College employees and students regarding the adoption of the department rules described in this Agreement.

By December 15, 2022, the College will provide OCR with a copy of the email issued to College employees and students regarding the Board adoption and publication of the Items described in this Agreement.

5. Training for College Staff

The College will provide training to the Professor, all staff in the DRC, and all staff in the Title IX office about: (1) the revised Nondiscrimination Statement, grievance procedures, and webpage described above; (2) the applicability of Section 504 to pregnant and non-pregnant students, particularly with respect to temporary disabilities; (3) the DRC services and academic adjustments available to pregnant and non-pregnant students; and (4) Title IX's protections for pregnant students.

**REPORTING REQUIREMENTS:**

By October 31, 2022, the College will provide OCR with the qualifications of the proposed trainer who will provide the training required by this Agreement and a copy of the proposed training materials.

By January 31, 2023, the College will provide the OCR-approved training to the identified staff and provide OCR sufficient documentation to show that all staff received the training. To the extent that a staff member is absent on the day of training, the College will provide documentation to show that the staff member received the training at another time.

**Individual Remedies**

6. Investigation

Consistent with its grievance procedures related to complaints of sex discrimination, the College will promptly and equitably respond to the Complainant's allegations that the Professor discriminated against her on the basis of pregnancy when the Professor encouraged the Complainant to drop the Courses rather than engage in an interactive process with the Complainant about appropriate academic adjustments or refer the Complainant to the DRC. The College will promptly take any necessary steps to remedy any discrimination that is found.

**REPORTING REQUIREMENTS:**

By August 31, 2022, the College will provide OCR a complete copy of the case file related to the College's response to the Complainant's allegations regarding the Professor.

7. Courses and [redacted content]

The College will [redacted content] related to the Courses [redacted content]. In addition, the College will, consistent with all applicable law and through its [redacted content].

**REPORTING REQUIREMENTS:**

By August 31, 2022, the College will provide OCR with documentation to show [redacted content] and what steps, if any, the College took to [redacted content].

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. Sections 100.9-10), or judicial proceedings to enforce this Agreement, OCR will give the College written notice of the alleged breach and 60 calendar days to cure the alleged breach.

By signing this Agreement, the College understands and agrees to provide the foregoing 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 to 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 and Section 504 and its implementing regulation.

The College understands that OCR will not close the monitoring of this Agreement until OCR determines that the College has demonstrated compliance with all the terms of this Agreement and is in compliance with Title IX and its implementing regulation and Section 504 and its implementing regulation.

This agreement will become effective upon the signature(s) of the representative for the College.

For Salt Lake Community College:

/s/  
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Dr. Denece G. Huftalin  
President

06/13/2022 dgh  
Date