

Resolution Agreement
Napa Valley College
Docket Number 09-12-2048

To resolve the compliance concerns identified by the U.S Department of Education, Office for Civil Rights (OCR), during its investigation of the above-referenced complaint filed pursuant to Title VI of the Civil Rights Act of 1964, Napa Valley College agrees, without admitting to any violation of the law, to the following provisions. The facts gathered and compliance concerns identified during OCR's investigation are detailed in a letter to the College dated December 21, 2012. Capitalized terms herein have the meaning assigned to them in the letter of finding.

1. The College will issue a statement to all students, faculty and staff in the Associated Degree in Nursing (ADN) program stating that the College does not tolerate harassment based on race, color or national origin, including status as a non-native English speaker. The statement will encourage any student who believes he or she has been subjected to such harassment to report the harassment to the College, and note the College's commitment to conducting a prompt investigation. The statement will inform all employees of their obligation to report alleged, suspected or known harassment to the Dean of Human Resources, and include her or his contact information. The College will post the statement in prominent locations in the Nursing Department, and include it in the primary publication distributed to students in the ADN program (eg, handbook or course catalog). The College will provide OCR with a copy of the statement for review by December 28, 2012. The College will confirm to OCR that it has disseminated the statement within 30 days of OCR's approval of the statement.
2. The College will conduct training on its policy prohibiting discrimination on the basis of race and national origin, and its procedure for responding to alleged incidents of discrimination. The training will be mandatory for all administrators and faculty in the ADN program, and be conducted by someone with appropriate expertise in the subject matter. OCR is available to conduct this training at the College's request. The training will be completed by March 1, 2013.
3. The College will develop and administer a climate survey designed to assess the presence and effect of harassment based on race, color or national origin within the ADN program. The College will administer the survey to all students in ADN courses by March 1, 2013 and submit an analysis of the results of the survey to OCR by May 30, 2013. The analysis will include recommendations for how the College will address any climate issues identified through the surveys.
4. The College will provide continuing annual notice to students and employees of its procedure for responding to alleged harassment based on race, color or national origin, and that anyone wishing to make a complaint of discrimination may do so in accordance with the procedure. The notice will be included in the College's course catalog and in any equivalent publication for College administration, faculty and/or

staff. By January 23, 2013, the College will add a link to the procedure on a readily accessible portion of the College's website.

The College understands that OCR will not close the monitoring of this Agreement until OCR determines that the College has fulfilled its terms and is in compliance with the laws enforced by OCR at issue in this case. The College further 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 the laws enforced by OCR at issue in this case. By signing this Agreement, the College agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this agreement.

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 a minimum of sixty (60) calendar days to cure the alleged breach.

NAPA VALLEY COLLEGE

By: ___/S/_____

Date: 12/21/2012