

Resolution Agreement
California State University, Bakersfield
OCR No. 09-14-2230

The California State University, Bakersfield (University), without admitting to any violation of state or federal law, agrees to implement this Resolution Agreement (Agreement), in order to resolve the issues investigated by the U.S. Department of Education, Office for Civil Rights (OCR), under Title IX of the Education Amendments of 1972 in the above referenced case.

1. The University will issue written guidance to clarify how Executive Order 1097 and the Student Complaint and Grievance Procedures are to be used in responding to complaints of discrimination. The guidance will:
 - a. direct administrators at the University that if a student files a grievance, that includes an allegation of unlawful discrimination, including harassment and retaliation, the grievance, or portion of the grievance, will be immediately referred to the Discrimination, Harassment and Retaliation Administrator or the Title IX Coordinator (in cases alleging sexual discrimination, including sexual harassment and sexual violence) for investigation under Executive Order 1097;
 - b. direct that the referral will take place without a determination as to whether the discrimination allegation states a claim; and
 - c. require that the University advise the student as to the requirements of each process.
2. The University will provide OCR with a draft of the written guidance by June 19, 2015 for review and approval. OCR will notify the University of any revisions to the written guidance within 30 days of receiving the draft from the University. The University will distribute the guidance to the relevant administrators within ten days of receiving OCR approval of the draft. The University will verify to OCR that the guidance has been distributed.

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 request such additional reports or data as are necessary for OCR to determine whether the Institute has fulfilled the terms of this Agreement and is in compliance with the statutes and regulations that were at issue in this case.

The University understands that OCR will not close the monitoring of this Agreement until such time that OCR determines that the University has fulfilled the terms of the Agreement and is in compliance with the statutes and regulations that were at issue in this case.

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 or enforce this Agreement, OCR shall give the University written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

_____/s/_____
Horace Mitchell
President
(or designee)

Dated: May 18, 2015