

**Resolution Agreement**  
San Diego State University  
OCR Case Number 09-16-2012

To resolve the issues identified by the U.S. Department of Education, Office for Civil Rights (OCR), in the above referenced complaint pursuant to Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681 et seq., and its implementing regulation, at 34 C.F.R. Part 106, the San Diego State University (University), without admitting to any violation of law, agrees to take the actions outlined in this Resolution Agreement (Agreement).

- I. **Response to April XX, 2015 Appeal.** Within 60 working days of the date this agreement is signed, the University will provide a response to complainant to the following conclusion made in University's April XX, 2015 Notice of Investigation Outcome: "XXXXXX is determined to have violated CSU and SDSU policies against harassment, as well as SDSU's policy against making a false report of sexual harassment. . . ." University's review and response shall be pursuant to the standards set forth in and consistent with California State University Executive Order 1096 Revised (June 23, 2015), and limited to those issues and arguments raised in complainant's April XX, 2015 letter of appeal.
- II. **Notice to Respondent.** Within ten (10) working days of the date this agreement is signed, the University must notify the respondent of the complainant's appeal, and provide the respondent updates and a final determination based on this process, including any appeal rights required she may have under CSU EO 1096 (2015).
- III. **Written Guidance and Training.** Within 90 days of the date this agreement is signed, the University will issue written guidance and facilitate training for University staff responsible for responding to appeals of complaints of Title IX sexual harassment. The training will specifically address the University's obligation, pursuant to CSU EO 1096 (2015), to ensure that complainants and respondents understand the sexual harassment investigation process and their rights during the process, including the right to a prompt and equitable appeal, so long as the right to an appeal is included in University grievance procedures. To the extent that the University has recently conducted training on the aforementioned topic, within 30 working days of the date of this agreement is signed, the University will provide documentation of the training to OCR for review and approval. The documentation will consist of the date of the training, names of the participants, and topics covered in the training, including any written guidance provided to participants in the training. Such documentation, when approved, will satisfy Section IV(c) reporting requirement.
- IV. **Reporting Requirements.**
  - (a) Within 30 days of the date the response is sent, the University will provide to OCR a copy of the appeal response that was provided to complainant pursuant to Section I.
  - (b) Within 30 days of the date that the notice was sent, the University will provide OCR with documentation of the notice provided to respondent pursuant to Section II.

- (c) Within 60 days of the date that this agreement is signed, the University will provide a draft of the guidance described in Section III to OCR for review and approval. Within 60 days of OCR's approval, the University will confirm to OCR that the guidance was issued and training conducted. Within 14 days of the date of the training, the University will provide OCR with a sign-in sheet or other evidence of training attendance by name and title of attendees.

**V. Monitoring**

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 regulations implementing Title IX with respect to the issues in this case.

The University understands that by signing this agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of this agreement. Further, the University understands that during the monitoring of this agreement, if necessary, 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 Title IX and its implementing regulations, which 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 to enforce this Agreement, OCR will give the University written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

03/24/2016  
Date

/s/  
Authorized Official  
California State University