



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS—REGION VII

SEP 29 2006

John Mucci, President  
Wright Business School  
8951 Metcalf Avenue  
Overland Park, Kansas 66212

Re: OCR Docket # 07062029

Dear Mr. Mucci:

On January 26, 2006, the U.S. Department of Education (Department), Office for Civil Rights (OCR), received a complaint alleging retaliation and discrimination on the basis of sex by Wright Business School (School), Overland Park, Kansas. This is to inform you we have completed the investigation of this complaint.

Specifically, the complainant alleged:

1. two School staff members sexually harassed the complainant;
2. the School director retaliated against the complainant by expelling her from the School after the complainant filed, with the director, complaints of sexual harassment against two staff members; and
3. the School does not have a sexual harassment policy

OCR is responsible for enforcing:

- Title VI of the Civil Rights Act of 1964 (Title VI), 42 United States Code (U.S.C.) § 2000d, and its implementing regulation, 34 Code of Federal Regulations (C.F.R.) Part 100. Title VI prohibits discrimination on the basis of race, color or national origin by recipients of Federal financial assistance (FFA). The Title VI regulation at 34 C.F.R. § 100.7(e) prohibits retaliation against persons for engaging in a protected activity. Protected activity includes filing or participating in an OCR complaint or taking other action opposing any activity that violates laws OCR enforces.

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Our mission is to ensure equal access to education and to promote educational excellence throughout the nation.

- Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681, and its implementing regulation, 34 C.F.R. Part 106. Title IX prohibits discrimination on the basis of sex in any education program or activity operated by a recipient of FFA. The regulation implementing Title IX at 34 C.F.R. § 106.71 incorporates by reference the Title VI regulation prohibiting retaliation.

As a recipient of FFA from the Department, the School is subject to these laws. Additional information about the laws OCR enforces is available on our website at <http://www.ed.gov/ocr>.

#### Allegation 1

The complainant alleges that in January 2005, a male surgical tech instructor sexually harassed her by hugging and touching her inappropriately on numerous occasions. The male surgical tech instructor called her "sweetheart," "honey," and "baby," and made other inappropriate comments, even though the complainant told him his behavior constituted sexual harassment. On January 28, 2005, the complainant met with the dean of students (dean) and provided a written statement about the harassment. The dean acknowledged receipt of the statement on January 28, 2005, by signing her name at the bottom of the statement and forwarded the signed statement to the director.

The dean informed OCR that she received the complainant's written complaint about the male surgical tech instructor's sexual harassment and forwarded it to the director of education about a week after receiving it, although she could not remember the date. The dean discussed the complainant's allegation with the director of education, but was unaware if he forwarded it to the director. The dean also discussed the complainant's allegation with the director and understood the director would initiate an investigation of the allegations.

The director informed OCR that she did not remember the written complaint against the male surgical tech instructor, but she did remember the incident because she discussed it with the dean. The investigation of the complainant's allegation was inconclusive because the male surgical tech instructor's comments could not be confirmed; however, the director verbally warned the male surgical tech instructor about his behavior.

A few days later (no specific date was given), the complainant met with the director. The director advised her she would have to deal with sexual harassment in the real world and that the complainant's attitude about the surgical tech instructor's behavior "sucked." The director denied telling the complainant that she would have to deal with sexual harassment in the real world and that her attitude about the male surgical tech instructor's behavior "sucked." She stated the School takes sexual harassment very seriously, and her goal is for all of the students to graduate.

On February 15, 2005, the male surgical tech instructor who had sexually harassed the complainant in January 2005 harassed her again by stating to her that he "got laid" on Valentine's Day. On February 17, 2005, the complainant met with the dean and gave her a verbal statement regarding the second instance of alleged sexual harassment by the male surgical tech instructor. The dean submitted a signed written statement regarding the incident to the director on February 17, 2005. The director informed the complainant the incident was being investigated, but could not tell her what action was being taken. The complainant stated she did not know if or how her allegation was addressed because no one told her. The complainant stated the male surgical tech instructor has not engaged in any additional harassing conduct towards her since February 2005.

The director did not read the complainant's second complaint against the male surgical tech instructor, but she did discuss it with him. The director terminated his employment in March 2005, in part because of the complainant's second sexual harassment complaint against him, and in part because she believed he was drinking on the job. The director stated the male surgical tech instructor died in a car accident about a month after his termination.

The director of education informed OCR that he did not recall receiving the complainant's written complaint from the dean. He remembered that the complainant filed two complaints against the male surgical tech instructor. He said the male surgical tech instructor was counseled for his behavior for the first complaint, but was terminated following the second complaint for his inappropriate comments to the complainant.

The director informed the complainant her allegations were being investigated, but could not tell her of the actions to be taken against the male surgical tech instructor.

OCR's review of the male surgical tech instructor's employment file revealed it contained no information about any investigation or counseling resulting from the two sexual harassment complaints filed against him by the complainant. The president advised OCR that the lack of investigatory documents in the file was the result of the male surgical tech instructor leaving his position at the School.

On August 20, 2005, the complainant alleges she received a telephone call from the School's extern coordinator who asked her if she was either gay or bisexual. The extern coordinator also asked the complainant if she would participate in a sexual encounter with her and a man. Approximately ten days later (on or about August 30, 2005), the complainant filed a written complaint with the director about the extern coordinator's comments. Approximately three to four weeks later, the director informed the complainant that the extern coordinator had been fired, but did not tell the complainant the reason for the termination. This was the only incident of sexual harassment the complainant reported against the extern coordinator.

On August 17, 2005, the School's extern coordinator<sup>1</sup> provided a resignation letter to the School claiming exceptional stress in her job. The letter states her resignation from the extern coordinator position would be effective September 15, 2005. The School accepted the extern coordinator's resignation immediately and did not allow her to work for the School between August 17<sup>th</sup> and September 15<sup>th</sup>, the effective date of her resignation.

The School claims that from the time the extern coordinator submitted her resignation on August 17 to September 7, 2005, she sent e-mails and made phone calls to various staff members claiming wrongful termination after an illness, but never admitted any wrongdoing.

On September 8, 2005, another student gave the School a copy of a tape containing a voice message from the extern coordinator to that student. This student is the complainant in OCR complaint 07062039. The tape clearly indicated what the School considered to be inappropriate behavior. On September 8, 2005, the School delivered a cease and desist letter to the extern coordinator regarding her contact with School faculty, staff, and students, instructing her "to cease and desist immediately tortuously interfering with the School's advantageous business relationships with its students, staff and faculty." The School prepared an agreement of separation for the extern coordinator. On September 15, 2005, the extern coordinator signed the agreement of separation. The effective date of the Agreement was August 15, 2005.

According to the School, on or about September 26, 2005, during a meeting with the School director, the complainant filed a verbal complaint regarding phone calls she received from the extern coordinator three to four weeks prior to that date. The School claims the complainant said the extern coordinator was apparently drunk when she made comments of a sexual nature to her. The complainant said she was not concerned and it was "no big deal," but she wanted the calls to stop. When the director asked the complainant if she had received any other calls from the extern coordinator, the complainant replied that she had not received any recent calls from the extern coordinator. During the meeting, the director asked the complainant to provide a written statement describing the extern coordinator's conduct, but the complainant did not provide the statement. The director also informed the complainant the extern coordinator was no longer employed at the School, and that the School was conducting an investigation into the complainant's allegation. The director said she asked the complainant daily for a written statement regarding her allegation against the extern coordinator. The School said it never received a statement from the complainant.

The evidence presented by the complainant and the School is conflicting with respect to the date of the meeting between the director and the complainant and whether or not the

<sup>1</sup>The School's extern coordinator is responsible for assigning extern sites to surgical technician program students. Extern sites contract with the School to provide various kinds of specialized surgical experience.

complainant provided a written sexual harassment complaint. OCR found no evidence to verify when the meeting took place or whether the complainant provided a written statement regarding the extern coordinator's conduct.

Analysis

The regulation implementing Title IX at 34 C.F.R. § 106.31(a) states that no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic or other education program or activity operated by a recipient which receives Federal financial assistance. The regulation implementing Title IX at 34 C.F.R. § 106.31(b)(3) states that in providing any aid, benefit, or service to a student, a recipient shall not, on the basis of sex, deny any person any such aid, benefit, or service.

Title IX protects students from being subjected to a sexually hostile environment. To establish a violation of Title IX under the hostile environment theory, OCR must find that: (1) a sexually hostile environment existed; (2) the School had actual or constructive notice of the sexually hostile environment; and (3) the School failed to respond adequately to redress the sexually hostile environment. To determine whether a sexually hostile environment exists, OCR must establish that the harassment is sufficiently severe, persistent, or pervasive so as to interfere with or limit the ability of an individual to participate in or benefit from the services, activities or privileges provided by the School. OCR examines the context, nature, scope, frequency, duration, and location of sexual incidents, as well as the identity, number, and relationship of the persons involved. The harassment must, in most cases, consist of more than casual or isolated incidents to establish a Title IX violation.

The complainant filed two sexual harassment complaints with the dean against a male surgical tech instructor in January and February 2005. The School terminated the employment of the male surgical tech instructor in March 2005, in part due to the second sexual harassment complaint the complainant filed in February 2005.

The complainant also complained about sexual harassment by the School's extern coordinator. The complainant alleged that on August 20, 2005, she received a telephone call from the extern coordinator that the complainant considered to be harassing in nature. The extern coordinator had tendered her resignation to the School on August 17, 2005; the resignation was to be effective on September 15, 2005. The complainant brought the incident to the School's attention in late August or early September 2005.

The evidence presented by the complainant and the School is conflicting, and OCR was unable to verify the specific date the School was actually notified of the complainant's allegation against the extern coordinator. Another student made similar accusations and,

following a review of tape-recorded information from the other student, the School sent the instructor a "cease and desist" letter on September 8, 2005.

OCR first examined whether a sexually hostile environment existed. While the harassing conduct was not persistent or pervasive, OCR has determined it was severe in that the first incident of harassing conduct was initiated by an instructor and that the complainant's ability to receive the full benefits of the School's academic program was seriously compromised. Further, the complainant was concerned about her ability to graduate from the School because of the instructor's harassing conduct. In addition, the complainant was subjected to a second incident of sexual harassment when the School's extern coordinator called her and asked her if she was either gay or bisexual and if the complainant would participate in a sexual encounter with the extern coordinator and a man. OCR has concluded a sexually hostile environment existed.

OCR next determined whether the School had notice of the sexually hostile environment. OCR's investigation found the School became aware of the incidents beginning in late August or early September 2005. Finally, OCR examined whether the School responded adequately to redress the sexually hostile environment. The OCR investigation found that when the School was made aware of the harassing conduct of the male surgical tech instructor, School officials counseled the instructor and then terminated his employment after a second incident.<sup>2</sup> The OCR investigation found that when the School was made aware of the harassing conduct of the extern coordinator, the School sent a "cease and desist" letter to the extern coordinator and developed a separation agreement that was signed by the extern coordinator on September 15, 2005. The complainant did not receive any additional harassing contact from the surgical tech instructor or the extern coordinator.

Based on the evidence OCR reviewed in this case, OCR has determined the School's responses to the complainant's reports of sexual harassment by the two instructors are consistent with the requirements of the regulation implementing Title IX at 34 C.F.R. § 106.31(a) and (b)(3). As a result, OCR is closing allegation 1 of the complaint as of the date of this letter and will take no further action with respect to allegation 1.

<sup>2</sup> In a statement dated September 26, 2006, the School's director of education stated the male surgical tech instructor tendered his resignation on February 15, 2005; the School accepted his resignation on February 16, 2005. Although this statement differs from oral statements regarding the male surgical tech instructor's being terminated, OCR has concluded that whether this employee was terminated or resigned, the School did respond appropriately to the complainant's allegations against him and that the male surgical tech instructor did not engage in harassing conduct towards the complainant after the February 2005 incident.

Allegation 2:

The complainant alleges the director retaliated against her by expelling her from the School after the complainant filed complaints of sexual harassment against two staff members. The complainant filed written complaints with the director in January and February 2005 after a male surgical tech instructor sexually harassed her. The complainant also filed a written complaint with the director in September 2005, approximately ten days after the School's extern coordinator sexually harassed her on August 20, 2005. The complainant states the director expelled her from the surgical technician program either the Monday before or the Monday after September 16, 2005, which was the last day she attended the School. The director did not provide the complainant any information regarding the reason(s) for the expulsion. The complainant did remember that at Doctors Specialty Hospital, the operating room director instructed her to go into one operating room; however, the complainant went into a different operating room with other hospital staff she claimed had taken her under their wings. The director verbally informed the complainant that the complainant was responsible for the School losing hospital sites for its students, but did not explain how. The complainant received paperwork from the School approximately the end of January 2006, but it did not contain the date of expulsion.

In its response to OCR's data request, the School denies the School retaliated against the complainant by expelling her from the School after she filed a sexual harassment complaint with the director. The School stated it terminated the complainant from the surgical technician program after the on-site coordinators employed at two different extern sites removed her from those facilities. The medical facilities the complainant attended for her externships are training sites that provide a wide range of experience to students. The medical facilities are not required to provide such training and only do so to assist students who wish to develop the skills necessary to enter the surgical technician career field.

The School provided OCR documentation regarding the complainant's performance and attitude problems at Colorectal Surgery Associates (CSA) in May 2005, University of Kansas Medical Center (UKMC) in June 2005, Doctors Specialty Hospital (DSH) in July 2005, and Baptist Lutheran Medical Center (BLMC) in September 2005.

The complainant's first externship was May 16-20, 2005, at CSA. The on-site preceptor, who is employed by CSA, removed the complainant following an unsatisfactory evaluation of C's and D's. The on-site preceptor stated the complainant walked out of CSA on May 23, 2005, because she was upset and angry about receiving C's and D's for the week of May 16-20, 2005. That was the complainant's last day at CSA. The School's extern coordinator removed the complainant from CSA.

The complainant's second externship was at UKMC from May 30, 2005, to July 1, 2005. The School's documentation does not indicate the complainant had any performance or attitude problems while she trained at this extern site.

The complainant's third externship was at DSA. A document dated July 7, 2005, indicates the complainant earned A's in the personal categories category and B's in the clinical skills category. On July 12, 2005, the director of nursing at DSA reported to the School's extern coordinator that the complainant refused to follow instructions and said the complainant could not return there for training. (The individual who was the director of nursing for DSA at the time of the complainant's training is no longer employed there.) The operating room director, who supervised the complainant's training, informed OCR the complainant was insubordinate to him in that she refused to follow his instructions. He did not provide OCR any documents reflecting the complainant's grade. The operating room director stated he would not have given the complainant the grades reflected on the July 7, 2005 document. The operating room director informed the director of nursing that he recommended that DSA (a) terminate the complainant from training; and (b) accept no more School students for training. The operating room director stated the director of nursing agreed with his recommendations and made the final decision to advise the extern coordinator that the complainant could not return for training and that DSA would no longer accept School students for training.

The complainant's last externship was conducted at BLMC. On September 9, 2005, the on-site coordinator at BLMC asked the complainant not to return because of her failure to comply with the on-site coordinator's requests or submit reports on her training. Specifically, the complainant disappeared from the surgical services area without notifying the preceptor; did not submit written reports on surgical procedures as requested; did not help decontaminate rooms; and did not follow instruction well or with a good and positive attitude. The individual who served as the on-site coordinator for BLMC is no longer employed there. The School provided OCR a contact number to speak with this person; however, she refused to be interviewed by OCR. After BLMC terminated the complainant from that extern site, the director terminated her from the School's surgical technician program.

On September 30, 2005, the director received a letter from the complainant's father stating that since the director had not returned his phone calls, he was writing the School's chairman to ask that the School reconsider the complainant's termination in light of the alleged sexual harassment incident. The letter included the father's letter to the chairman dated September 29, 2005, which indicates the complainant and her father had contacted a lawyer. The director gave the letter and attachment to the School president (also vice chairman), who apprised the chairman of the letter. The School took no action to reinstate the complainant since she had been terminated from three of her four extern sites.



The complainant received a drop-out calculation packet that was dated December 3, 2005, and included a document titled "Treatment of Title IV Refunds When a Student Withdraws from a Credit Hour Program," which indicates the complainant withdrew from the School on October 2, 2005. The director confirmed the School did not send the complainant a letter regarding her termination from the program, but did send her a Drop-Out Calculation form that indicates a drop date of October 2, 2005. The last date the complainant attended the School was September 16, 2005. A Notice to Lender also indicates the complainant last attended school on September 16, 2005, and the effective date of her withdrawal from the School was October 2, 2005. The president and director informed OCR that references to a withdrawal in these documents are misleading, as the complainant did not withdraw from the School.

**Analysis**

The complainant alleged the School director retaliated against the complainant by expelling her from the School after the complainant filed complaints of sexual harassment against two staff members.

The regulation implementing Title VI at 34 C.F.R. § 100.7(e) states that a recipient may not intimidate, threaten, coerce, or discriminate against any individual for the purpose of interfering with any right or privilege or because he has made a complaint, testified, assisted, or participated in any manner in an investigation, proceeding, or hearing. The regulation implementing Title IX at 34 C.F.R. § 106.71 contains a similar prohibition against retaliation.

To determine whether retaliation has occurred, OCR must establish that 1) an individual engaged in a protected activity; 2) the recipient had notice of the protected activity; 3) the recipient took adverse action against the individual subsequent to the protected activity; and 4) there is an inferable causal connection between the protected activity and the adverse action. An individual engages in a protected activity by filing a complaint of discrimination, participating in a complaint alleging discrimination, or opposing actions reasonably believed to be discriminatory. If OCR establishes these elements, then OCR determines whether the recipient had a legitimate, non-discriminatory reason for the adverse action that is not pretextual.

OCR has determined the complainant participated in a protected activity by filing sexual harassment complaints with the director in January and February 2005, and again in late August or early September 2005. As a result, the director was aware of the protected activity. The first two elements of the retaliation analytical framework are established.

In May 2005, the on-site preceptor at CSA removed the complainant from the externship at that site. In July 2005, the director of nursing at DSA advised the School that the

complainant could not return there for training. In September 2005, the on-site coordinators at BLMC removed the complainant from that extern site for refusing to follow directions. The director expelled the complainant from the surgical technician program on September 16, 2005.

OCR determined the director took adverse action against the complainant by terminating her from the School's surgical technician program on September 16, 2005, after she filed the sex discrimination complaints. Further, OCR concludes there is an inferable causal connection between the protected activity and the adverse action based on the closeness in time of the activities. Therefore, a *prima facie* case of retaliation has been established.

Next, OCR considered the School's offered nondiscriminatory reason for terminating the complainant from its surgical technician program. The School's reason for terminating the complainant is based on her being removed from her externships at CSA, DSH and BLMC. To determine if the School's stated reason is pretextual, OCR considered the complainant's performance at the extern sites. In this case, the School's documentation indicates the complainant was removed from three of her four extern sites. The site coordinator removed the complainant from CSA because she received an unacceptable evaluation. The complainant was also removed from DSA and BLMC because the complainant refused to follow the directions of the on-site coordinators at both locations. Based on the above information, OCR has concluded the School has provided a legitimate, non-retaliatory reason for expelling the complainant from the School that is not a pretext for discrimination. As a result, there is insufficient evidence to establish that the School's director retaliated against the complainant by terminating her from the surgical technician program after the complainant filed complaints of sex discrimination with the director.

Based on the available information, OCR has determined there is insufficient evidence to establish that the director retaliated against the complainant by terminating the complainant from the surgical tech program. As a result, OCR is closing allegation 2 of this complaint as of the date of this letter and will take no further action with respect to allegation 2.

#### Procedural Concerns

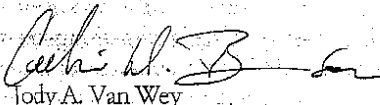
OCR determined that the School's sexual harassment policy does not include contact information for the individual(s) designated as the School's Title IX coordinator. The School does not include its sexual harassment policy in the School's 2005 Catalog. OCR also determined the School's grievance procedure is incomplete in that it does not include provisions for timely, thorough investigation of allegations of sexual harassment, does not include timelines for filing complaints and the appeal process, does not provide students effective notice of the procedure, and does not provide the name, office address, and

telephone number of the individual designated as the School's Title IX coordinator. OCR identified these procedural concerns in another complaint filed against the School, 07062036. On August 4, 2006, OCR received the enclosed signed Resolution Agreement (Agreement) from the School that, when implemented, will fully resolve the procedural concerns identified in this complaint. Therefore, OCR considers this case resolved as of the date of this letter.

OCR will monitor the School's implementation of the Agreement. Continued compliance with the regulation implementing Title IX is contingent upon OCR's receipt of documentation showing completion of the actions planned by the School. Failure to implement the Agreement as scheduled will result in OCR immediately resuming the investigation of this issue.

In any future correspondence with OCR, please refer to the number referenced above. This will enable OCR staff to immediately route your correspondence to the individual assigned to this complaint. If you have any questions regarding this matter or if you need technical assistance in the completion of the activities required in the Agreement, please contact Janet Chapin, Equal Opportunity Specialist, at (816) 268-0556 (voice) or (877) 521-2172 (telecommunications device for the deaf), or by email at [janet.chapin@ed.gov](mailto:janet.chapin@ed.gov).

Sincerely,



Jody A. Van Wey  
Supervisory Equal Opportunity Specialist

Enclosure

**RESOLUTION AGREEMENT  
WRIGHT BUSINESS SCHOOL  
DOCKET NUMBER 07062029, 07062036, 07062039**

Wright Business School (School), Overland Park, Kansas, submits the following Resolution Agreement (Agreement) to the U. S. Department of Education, Office for Civil Rights (OCR), to resolve procedural issues of the above-referenced complaints pertaining to its sexual harassment policy and a grievance procedure. These complaints were filed 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.

This Agreement addresses the School's responsibility to develop and implement a policy prohibiting sexual harassment and to develop and implement an appropriate grievance procedure applicable to complaints of discrimination on the basis sex, including complaints of sexual harassment. Neither the execution of this Agreement nor the actions taken by the School to comply with this Agreement shall constitute, nor be construed or represented as, an admission by the School, or any affiliated entity, of any liability or of any breach of contract or violation of any statute, common law duty, constitution, or administrative rule or regulation. The School expressly denies any such liability or violation.

Specifically, the School agrees to take the following actions:

1. By October 4, 2006, the School will develop and implement a policy prohibiting sexual harassment that is consistent with OCR's March 13, 1997 Notice regarding sexual harassment published in the Federal Register [62 Federal Register 12035]: (A copy of this notice is enclosed.) The School's sexual harassment policy will include, at a minimum, the following provisions:
  - a. A provision that specifically addresses methods to identify and remedy a sexually hostile environment;
  - b. Examples of staff-on-student and student-on-student sexual harassment;
  - c. A statement of the possible disciplinary consequences for violation of the policy;
  - d. A provision that if an employee (administrator, teacher, or non-certified staff) receives a report of sexual harassment, the School will immediately investigate the matter to take disciplinary action where appropriate;
  - e. Identification, by name or position title, office address and telephone number of the individual designated to investigate reports and complaints involving sexual harassment.

### Reporting Provision

By October 4, 2006, the School will provide to OCR a copy of its revised sexual harassment policy that complies with the guidelines set forth above in items a through e of this portion of the Agreement.

2. By October 4, 2006, the School will implement a revised grievance procedure applicable to complaints of discrimination on the basis of sex, including complaints of sexual harassment by students or employees. The grievance procedure must include, at a minimum, the following:
  - a. A statement that the grievance procedure is applicable to complaints alleging discrimination on the basis of sex, including allegations of sexual harassment by students or employees;
  - b. A requirement that all complaints will be promptly addressed, within specified time frames provided by the School, and thoroughly investigated;
  - c. Provisions for maintaining the confidentiality of the person who files a complaint and notice that retaliation against a person who files a complaint of sex discrimination, including sexual harassment, or persons who participate in related proceedings, is prohibited;
  - d. Provisions that are consistent with OCR's March 13, 1997 Notice regarding sexual harassment that is referenced above; and
  - e. Notice that complaints of discrimination on the basis of sex, including complaints of sexual harassment, may be filed with the U. S. Department of Education, Office for Civil Rights, 8930 Ward Parkway, Suite 2037, Kansas City, Missouri 64114-3302, (816) 268-0550.

### Reporting Provision

By October 4, 2006, the School will submit to OCR a copy of its revised grievance procedure applicable to complaints of discrimination on the basis of sex, including complaints of sexual harassment by students or employees.

3. By October 11, 2006, the School will disseminate its revised sexual harassment policy (Item 1 of the Agreement) and revised grievance procedure (Item 2 of the Agreement) to all students and employees by:
  - a. Publishing the sexual harassment policy and grievance procedure in the school catalog;
  - b. Posting the sexual harassment policy in prominent locations in the School's buildings;
  - c. Disseminating the sexual harassment policy and grievance procedure to all current students and employees by providing each a copy of the sexual harassment policy and grievance procedure; and
  - d. Continuing to disseminate the sexual harassment policy and grievance procedure to all incoming students at the time of student orientation where such information will be explained to the students and providing all new employees a copy of the sexual harassment policy and grievance procedure.
4. The School will conduct annual training sessions with its employees regarding the School's sexual harassment policy and grievance procedure.

#### **Reporting Provisions**

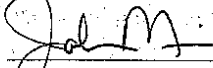
By October 4, 2006, the School will submit to OCR a copy of each published sexual harassment policy and grievance procedure to students and employees. [Any written policies being submitted in response to Item 2 above do not need to be duplicated for this reporting requirement.]

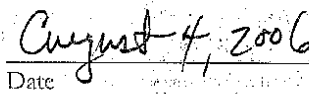
By October 4, 2006, the School will provide pictures showing the sexual harassment policy is posted in prominent location in the School's buildings.

**Reporting Provision**

By October 11, 2006, the School will submit assurance to OCR that the School has executed all provisions of Item 3 of this Agreement.

Enclosure

  
\_\_\_\_\_  
John Mucci, Vice Chairman  
Wright Business School  
Overland Park, Kansas

  
\_\_\_\_\_  
Date