



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS
WESTERN DIVISION, SEATTLE OFFICE
Henry M. Jackson Federal Building
915 Second Avenue, Room 3310
Seattle, Washington 98174-1099
April 9, 2003

Dr. Carol C. Harter
President
University of Nevada Las Vegas
4505 South Maryland Parkway
Las Vegas, Nevada 89154-1001

Re: University of Nevada Las Vegas
Case No. 10032009

Dear Dr. Harter:

This is to confirm that the Office for Civil Rights (OCR) has determined that the above-referenced complaint against the University of Nevada Las Vegas is resolved based on the agreement of the university to implement the actions set forth in the enclosed Voluntary Resolution Agreement.

The agreement when implemented will fully resolve the allegations of the referenced case. Pursuant to the agreement, we anticipate receiving the university's first implementation report by June 1, 2003.

We appreciate the cooperation that your staff extended to OCR to achieve a satisfactory resolution of this case. If you have any questions regarding this letter, please feel free to contact me at (206) 220-7936.

Sincerely,

A handwritten signature in black ink, appearing to read "Thelma O. Gates".

Thelma O. Gates
Equal Opportunity Specialist

Enclosure: Voluntary Resolution Agreement

cc: Marc Cardinalli
Administrative Code Officer

VOLUNTARY RESOLUTION AGREEMENT

I. INTRODUCTION

To resolve the issues raised by case No. 10032009 pursuant to the requirements of the Office for Civil Rights (OCR) for closure of a complaint of discrimination, the University of Nevada, Las Vegas enters into this Voluntary Resolution Agreement.

II. GENERAL PROVISIONS

- A. This voluntary agreement will become effective upon the university's receipt of a letter from the Office for Civil Rights (OCR) advising the university that the actions it has committed to take, as specified in the agreement, when fully implemented, will resolve the allegations in question in the above-referenced case.
- B. This voluntary agreement resolves the complaint allegations raised in case No. 10032009 and is not intended to constitute, nor shall it be deemed to constitute, an admission by the district of any violation of title IX of the Education Amendments of 1972, or any other law.

III. REMEDIAL PROVISIONS

A. Policies and Procedures

By September 1, 2003, in consultation with OCR, the university will review and revise, as necessary, its sexual harassment policies and complaint procedures to ensure that these policies are consistent with the requirements of Title IX. This review may include an internal audit of relevant files.

B. Notice and Training

1. By September 1, 2003, the university will adopt a plan that ensures that notice and training is given administrators, faculty members, and instructional staff in the Landscape Architecture Department regarding the university sexual harassment policies and procedures.

Page 2 of 3 - University of Nevada Las Vegas Agreement, 10032009

a. The training will be consistent with OCR guidelines regarding sexual harassment;

b. The training will include:

- i. what constitutes a sexually hostile environment;
- ii. notice that failure to respond to written or verbal concerns of sexual discrimination or harassment, or failure to report observed incidents of sexual discrimination or harassment to appropriate personnel, are not consistent with the university's responsibility under Title IX to ensure that students not be subjected to a hostile environment on the basis of sex;
- iii. notice that retaliation against anyone who makes a sexual harassment complaint violates Title IX and university policy.

2. Prior to conducting the training, the university will provide OCR a copy of the training outline or a description of the topics and issues to be covered in the training.

3. By September 1, 2003, the university will provide adequate notice to students and staff of the UNLV Sexual Harassment Policy and complaint procedures, incorporating any changes to the policy and procedures made as a result of this agreement.

C. Grade Review

1. By May 1, 2003, the university will ensure that a review of the student's grade in the Landscape Architecture Course AAL386 is held by a neutral and objective group of individuals. The review will consider the standards used for grading in the course and how the standards were applied to the student and to other students in the course, including the student's partner on the primary project in the course, in order to ensure that the student's grade was consistent with the course standards and how the standards were applied to other students in the class.

2. If the grade review demonstrates that the student's grade was not consistent with the course standards and how they were applied to other students in the class, the university will promptly change

Page 3 of 3 - University of Nevada Las Vegas Agreement, 10032009

the student's grade and ensure that the university's records, including the student's transcript, reflect the revised grade.

IV. REPORTING PROVISIONS

- A. By September 1, 2003, the university will provide OCR with a copy of the procedures developed pursuant to section III.A., above, and an outline of the training the university will be conducting to satisfy section III.B.2.
- B. By September 1, 2003, the university will provide OCR with a report on the training, including the individuals that participated and any materials used.
- D. By June 1, 2003, the university will provide OCR with a report on the grade review that includes the materials considered and the findings and determination resulting from the review. If the review results in a decision to change the student's grade in AAL386, the university will provide OCR a copy of the student's transcript showing the revised grade.


 Dr. Carol C. Harter
 President

4/08/03
 Date