Tips of the Week over the next month will provide detailed analysis and summaries of the University of Montana’s Resolution Agreement with the Department of Justice and the Office of Civil Rights.

Part 1: Creating a Blueprint for Reform
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Last week the Department of Education’s Office for Civil Rights, jointly with the Department of Justice, issued a series of lengthy and detailed documents pertaining to their investigations involving the University of Montana and Title IX. Forthcoming ATIXA Tips of the Week will dissect key portions of these documents, but I wanted to take the opportunity to highlight one specific statement in the investigation summary and reiterated in the Department of Justice’s press release that highlights the import of the University of Montana Resolution Agreement for all colleges and universities.

DOJ and OCR gave The University of Montana’s Resolution Agreement nationwide distinction by noting, “The Agreement will serve as a blueprint for colleges and universities throughout the country to protect students from sexual harassment and assault.” (Investigation Summary, p. 1). DOJ reaffirmed this statement in a press release noting that DOJ, OCR and the University of Montana “have worked together to create and implement a blueprint for reform that can serve as a model for campuses across the nation to ensure that women’s educational opportunities are not limited by sexual harassment or sexual assault.” (http://www.justice.gov/crt/opa/pr/speeches/2013/crt-speech-130509.html). OCR and DOJ are sending a clear message that the University of Montana Resolution Agreement is a significant guiding document.

Interestingly, most Resolution Agreements are crafted as internal documents – applicable only to the institution involved and the government agency exercising the compliance oversight. Such agreements are viewed as tea-leaves that provide clues or insight into OCR or DOJ’s compliance crystal ball. In the Montana Agreement, however, BOTH OCR and DOJ explicitly provide ALL colleges and universities a “blueprint for reform” pertaining to sexual harassment-based compliance with BOTH Title IX and Title IV. The Resolution Agreement was specifically created with external audiences in mind. Simply stated, the University of Montana’s Resolution Agreement should be required reading for all Title IX administrators.

Accordingly, Tips of the Week over the next month will provide detailed analysis and summaries of the University of Montana’s Resolution Agreement with DOJ and OCR and accompanying documents.