

U.S. Department of Justice



*Civil Rights Division
Educational Opportunities Section*

*United States Attorney
District of Utah*

DJ 169-77-25 SS:FM:VL:AD:BB
USAO 201700003

U.S. Mail:

Civil Rights Division
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150 M Street, N.E.
Washington, D.C. 20002

Mica McKinney, Esq.
General Counsel
Utah State University
1465 Old Main Hill
Logan, Utah 84322-1400
mica.mckinney@usu.edu

Re: February 12, 2020 Settlement Agreement between the United States of America and Utah State University

Dear Ms. McKinney:

As you know, on February 12, 2020, the United States Department of Justice (the “Department”) and Utah State University (the “University” or “USU”) (collectively, the “Parties”) executed a Settlement Agreement, which, when fully implemented, will resolve the Department’s compliance review of USU under Title IX of the Education Amendments of 1972 (“Title IX”). Section VIII of the Settlement Agreement requires the University to, among other things, provide to the Department all documents and information identified in Sections I through VII of the Agreement in accordance with the timelines set forth in the Agreement.

The Department recognizes that, despite the University’s good faith efforts, circumstances outside of its control may render USU unable to meet some of the deadlines set forth in the Settlement Agreement. As a result, USU has requested several time extensions. We appreciate the University’s continued communication about its progress toward meeting its obligations.

By signing this letter, the Parties agree to modified compliance deadlines deemed acceptable by the Department, pursuant to Section IX.D of the Agreement. For example, the Parties have agreed to the following deadlines:

- On or before July 22, 2020, the University will submit to the Department its draft grievance policy and procedures pursuant to Section III.E of the Agreement. Assuming the Department has approved the draft grievance policy and procedures, pursuant to the Agreement, the University will submit informational materials related to the grievance policy and procedures by August 14, 2020;
- By July 31, 2020, the University will submit a detailed description of the training for University employees designated as Reporting Employees, including the information required by Section V.D.2;
- By July 31, 2020, the University will submit a detailed description of the training for University employees designated as Confidential Sources, including the information required by Section V.E.2;
- By August 14, 2020, the University will submit informational materials related to its trainings for Reporting Employees and Confidential Sources;
- By August 24, 2020, the University will submit a description of and plan for online trainings for students, as well as a copy of or access to the online trainings, pursuant to Section V.C;
- By September 15, 2020, the University will submit a detailed description of the training for individuals involved in the Title IX process, including the information required by Section V.F.3;
- By September 15, 2020, the University will submit a detailed description of and plan for in-person interactive trainings for incoming students and for student groups, including the information required by Section V.B.2;
- By October 5, 2020, the University will take reasonable steps to finalize a written Memorandum of Understanding (“MOU”) with the law enforcement entities identified in Section VI.A, and within 30 days of finalizing each MOU described in Section VI.A, the University will provide a copy of the MOU to the Department.

In addition, the Parties agree that the University will not submit a monitoring report to the Department on July 31, 2020, pursuant to Section VIII.C, and will instead submit a monitoring report on January 31, 2024, extending the term of the Agreement by a semester. The Department will continue monitoring the situation and will work with the University to set all other appropriate deadlines for submissions of materials and implementation of requirements, such as the trainings required by Section V of the Agreement, based on all relevant conditions and considerations.

This letter does not relieve the University of any of its substantive obligations under the Settlement Agreement. The Department appreciates the University’s continued cooperation.

Amanda K. Dallo

Amanda Dallo
Victoria Lill
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Trial Attorneys
Civil Rights Division
U.S. Department of Justice

Date: 7/21/2020

Sandra L. Steinvooort

Sandra Steinvooort
Assistant United States Attorney
District of Utah

Date: July 21, 2020

Mica McKinney

Mica McKinney
General Counsel
Utah State University

Date: July 28, 2020