

**III. Employee Sanctions:** The University will review the actions of those current and former employees who had notice or were reported to have received notice of complaints or concerns of sex discrimination committed by either Employee X or the Dean and failed to take appropriate action in regard thereto. If the University's review determines that such person did receive a complaint of sex discrimination, the University will review whether that person failed to adequately respond in accordance with all then-applicable laws and University policies. If so, the University will then determine what further responsive steps, if any, must be taken with regard to that person. The University will document any actions taken in the employee's or former employee's personnel file, consistent with the revisions to its policies pursuant to item II.J, and the University will document any investigation or any action taken in accordance with its existing policies as revised pursuant to items II.D and II.H of this Agreement. The University will not be required to engage in actions that are inconsistent with its obligations under governing law and applicable collective bargaining agreements related to the employment relationship and due process concerns stemming from the public nature of the person's employment or former employment.

The list of employees subject to review under this item must include the former President (as of the 2015-2016 academic year), the Provost, the Associate Vice President for Academic Human Resources, employees of the Office of the General Counsel, and the former head coach of the women's gymnastics team; however, the University's review must go beyond this non-exhaustive list and include current or former responsible employees who have been identified by name, title, or position in University memoranda, Title IX reports, or police reports as having received notice of complaints or concerns of sex discrimination committed by either Employee X or the Dean, and failed to take appropriate action in regard thereto. The University may be limited in its ability to investigate based on the availability of evidence or witnesses.

Responsive actions to be considered include, but are not limited to, the following: disciplinary proceedings; revocation of tenure; revocation of honorary and other titles; demotion; reassignment; prohibition from University facilities, programs, and activities; removal of benefits; pay reductions; removal of housing benefits; permanent removal from administrative roles; revocation of honorary and other titles; prohibition from University facilities, programs, and activities; and/or other responsive action.

**Reporting Requirement:** By August 1, 2020, the University will provide OCR a copy of its documents regarding the review of each employee or former employee, including any interview memoranda, evidentiary documents, and a copy of each written report of its findings, including documentation of justifications for each action to be taken or determined not to be taken. By October 1, 2020, the University will provide OCR with documentation verifying any actions that have been taken with respect to each employee or former employee.

#### **IV. Climate & Training:**

A. The University will take measures to determine the impact of the conduct of Employee X and the Dean at the College of Osteopathic Medicine and the MSU Sports Medicine