

**Resolution Agreement
Scituate School District
OCR Complaint No. 01-16-1341**

Scituate School District (District) has entered into the following agreement (Agreement) with the U.S. Department of Education, Office for Civil Rights (OCR), to resolve the above-referenced complaint. The District assures that it will take the following actions and will meet its obligation to comply with the requirements of Title IX of the Education Amendments of 1972 (Title IX) that were at issue in this case.

Action Item 1: Notice of Non-Discrimination

- a. The District will revise its notice of non-discrimination (“Notice of Non-Discrimination”) to include:
 1. A statement that the District is required by Title IX and its implementing regulation at 34 C.F.R. Part 106 not to discriminate on the basis of sex in its programs, activities, or employment.
 2. A statement that inquiries regarding the application of Title IX and its implementing regulations may be referred to the employee(s) designated to coordinate the District’s efforts to comply with and carry out its responsibilities under Title IX (currently the EEO Officer), or to OCR.
 3. The name, title, office address, telephone number, and email of the employee(s) designated to coordinate the District’s efforts to comply with and carry out its responsibilities under Title IX (currently the EEO Officer).
 4. The office address, telephone number, and email address of OCR-Boston.
- b. The District will broadly publish its Notice of Non-Discrimination, including on its website, on its letterhead, in student handbooks, and in the program of studies for the District’s high school.
- c. The District will timely update its Notice of Non-Discrimination upon any change to the employee(s) designated to coordinate the District’s efforts to comply with and carry out its responsibilities under Title IX (currently the EEO Officer), and timely provide notice of such modification to students, parents/guardians, and employees.

Reporting Requirements

- a. By December 1, 2017, the District will submit its revised Notice of Non-Discrimination for OCR’s review and approval.

- b. Within thirty (30) calendar days of OCR’s review and approval of the Notice of Non-Discrimination, the District will provide OCR with documentation of the District-wide dissemination of the revised Notice of Non-Discrimination, including copies of publications and links to electronic publications containing the Notice of Non-Discrimination.

Action Item 2: Revised Policy #9000

- a. To comply with the applicable Title IX regulations, the District will revise its Policy #9000 “Non-Discrimination – Affirmative Action Policy” (Policy #9000) to include:
 1. Information on where and how complaints may be filed, including the name, title, office address, telephone number, and email for the employee(s) designated to coordinate the District’s efforts to comply with and carry out its responsibilities under Title IX (currently the EEO Officer).
 2. A statement that Policy #9000 applies to complaints alleging discrimination based on sex carried out by employees, students, or third parties.
 3. Clarification about when other District policies and procedures (e.g., the District’s sexual harassment policy) may apply to certain complaints of sex discrimination, rather than Policy #9000.
 4. Terms that provide for adequate, reliable, and impartial investigation of complaints, including:
 - i. the opportunity for both the complainant and respondent to present witnesses and other evidence;
 - ii. designated and reasonably prompt timeframes for the major stages of the complaint process;
 - iii. notice to the parties of the outcome of the complaint and any appeal (if an appeal is available); and
 - iv. if the grievance procedures include an appeal, an equal opportunity for both parties to appeal the findings and/or sanctions.
 5. An assurance that the District will take steps to prevent the recurrence of any discrimination based on sex and to correct its discriminatory effects on the complainant and others, if appropriate.

- b. The District will ensure that notice of the revised Policy #9000 is provided to students, parents/guardians, and employees, and that such notice is widely distributed and included in student handbooks and on the District’s website.

Reporting Requirements

- a. By January 1, 2018, the District will submit its revised Policy #9000 for OCR’s review and approval.
- b. Within forty-five (45) calendar days of OCR’s review and approval of the revised Policy #9000, the District will submit the following documentation to OCR:
 1. The Superintendent’s certification that the District has formally adopted the revised Policy #9000 and obtained any School Committee approval required.
 2. Evidence of the District-wide dissemination of the revised Policy #9000, including copies of publications and links to electronic publications containing the revised Policy #9000.

Action Item 3: Title IX Training

- a. Training for the Designated Employee(s): By December 1, 2017, the District will provide training to the employee(s) designated to coordinate the District’s efforts to comply with and carry out its responsibilities under Title IX (currently the EEO Officer) regarding his or her responsibilities. The training will include the substantive requirements of Title IX and guidance from OCR, the District’s obligations regarding the investigation of complaints alleging discrimination based on sex; and Title IX’s prohibition on retaliation.
- b. Training for District Administrators (including the Designated Employee(s)): Within thirty (30) calendar days of OCR’s review and approval of the District’s revised Policy #9000, the District will provide training to the Superintendent, Assistant Superintendent, the employee(s) designated to coordinate the District’s efforts to comply with and carry out its responsibilities under Title IX (currently the EEO Officer), and all District principals and vice principals regarding the revisions to the District’s Policy #9000.

The training will review how complaints of discrimination on the basis of sex are processed under the District’s Policy #9000, including how to conduct and document adequate, reliable, and impartial investigations, the disciplinary sanctions applicable to anyone engaging in discrimination based on sex, Title IX’s prohibition on retaliation, and how Policy #9000 interacts with other District policies.

Reporting Requirements

- a. Within fifteen (15) calendar days after the training required in Action Item 3(a), the District will submit the following documentation to OCR: the date(s) of the training; the name(s) and title(s) of the trainer(s); a copy of the materials used or distributed during the training; and a sign-in sheet with the names and titles of the individuals who attended the training.
- b. Within fifteen (15) calendar days after the training required in Action Item 3(b), the District will submit the following documentation to OCR: the date(s) of the training; the name(s) and title(s) of the trainer(s); a copy of the materials used or distributed during the training; and a sign-in sheet with the names and titles of the individuals who attended the training.

Action Item 4: Review of the Complainant’s June 21 and June 22, 2016 Reports

- a. Within sixty (60) calendar days after OCR’s review and approval of the District’s revised Policy #9000, the District will conduct an investigation of the allegations made by the Complainant in his June 21 and June 22, 2016 emails to Dr. Sollitto.
- b. The District will ensure that this investigation is adequate, reliable and impartial, and conducted in accordance with its revised Policy #9000 and Title IX.
- c. The District will provide the Complainant with a written summary of its findings.

Reporting Requirements

- a. Within fifteen (15) calendar days after the conclusion of the District’s investigation required by Action Item 4, the District will submit to OCR a copy of the written summary of its findings that the District provided to the Complainant in accordance with Action Item 4(c).

General Requirements

The District understands that by signing this Agreement, it agrees to provide the foregoing information in a timely manner in accordance with the reporting requirements of this Agreement. Further, the District understands that during the monitoring of this Agreement, if necessary, OCR may visit the District, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Title IX at 34 C.F.R. Part 106, which was at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close this case.

The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of this Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10) or judicial proceedings to enforce this Agreement, OCR shall give the District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the District's representative below.

/s/ _____
Superintendent
Scituate School District

11/7/2017 _____
Date