

**RESOLUTION AGREEMENT**  
**Milford School District**  
***OCR Complaint No. 01-18-1175***

The Milford School District (District) has voluntarily entered into this Resolution Agreement to resolve the concerns OCR identified in its letter of resolution in the above-referenced complaint, which involved alleged violations of Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. Section 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106. The District agreed to resolve this case, prior to the completion of OCR's investigation, pursuant to Section 302 of OCR's *Case Processing Manual*.

All references to the Title IX regulation in this Resolution Agreement shall include the amendments promulgated by the U.S. Department of Education on May 19, 2020 at 85 FR 30026.

**Action Item 1: Harassment Policy and Grievance Procedures**

The District will review, and will document its review of, its (1) non-discrimination and harassment policies (Policies) and (2) grievance procedures (Procedures) for the resolution of reports and formal complaints alleging sex-based discrimination by students, employees, and/or third parties, to ensure that they expressly prohibit sex stereotyping and otherwise fully comply with the Title IX regulation. The District also agrees to make revisions, if necessary, to comply with the Title IX regulation.

Reporting Requirement: By **November 15, 2021**, the District will provide to OCR its written summaries of the review process as described, along with copies of its (1) Policies (revised, if necessary) and (2) Procedures (revised, if necessary).

**Action Item 2: Designation of Coordinator**

The District will ensure that it prominently displays the name or title, office address, electronic mail address, and telephone number of its Title IX Coordinator (i) on its website and (ii) in each handbook or catalog that it makes available to applicants for admission and employment, students, parents or legal guardians of elementary and secondary school students, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the District, consistent with the requirements of the Title IX regulation.

Reporting Requirement: By **November 15, 2021**, the District will provide to OCR a written explanation of whether any changes to its websites, catalogs, or handbooks were required to comport with Action Item 2. The District will also provide URL(s) and electronic copies of applicable catalogs or handbooks to demonstrate compliance with Action Item 2.

### **Action Item 3: Training**

- (a) By **June 1, 2022**, as part of its annual training to District staff and District administrators (including Title IX Coordinator(s)) that the District offers concerning Title IX, the Policies, and/or Procedures, the District will include a component on discrimination and harassment based on sex stereotyping, including but not limited to examples and scenarios involving sex stereotyping, and actions to prevent the creation and/or remedy the effects of a hostile environment created by sex stereotyping. The training will also include a component to assist faculty and staff in understanding and implementing the procedures for addressing, responding to, and documenting reports and complaints of discrimination and harassment based on sex stereotyping. OCR's *Fact Sheet on Confronting Anti-LGBTQ+ Harassment in Schools: A Resource for Students and Families*, and OCR's *Federal Register Notice of Interpretation: Enforcement Title IX of the Education Amendments of 1972 with Respect to Discrimination Based on Sexual Orientation and Gender Identity in Light of Bostock v. Clayton County*, provide guidance on these topics.
- (b) The District will provide age-appropriate training to students attending all schools on what constitutes harassment based on sex, including sex stereotyping, and how to report it and to whom, and this training will include examples and scenarios of sex-based harassment, with at least one or more involving sex stereotyping.
- (c) The District agrees to disseminate and/or otherwise make available examples of prohibited harassment, including harassment based on sex stereotyping, for reference by staff, students, and parents or legal guardians (e.g., in handbooks and codes of conduct).

**Reporting Requirement:** By **November 20, 2022**, the District will provide documentation to OCR demonstrating that:

- (i) the training was provided to District staff and administrators in accordance with Action Item 3(a); and
- (ii) the training, including examples and scenarios employed as part of the training, was provided to all District students in accordance with Action Item 3(b); and
- (iii) the District has made available examples and scenarios in accordance with Action Item 3(c).

### **Action Item 4: Complaint Processing and Recordkeeping**

The District will ensure that it creates and maintains contemporaneous records of alleged reports of discrimination and harassment based on sex stereotyping and the District's response to each such report, including any notice it provides to the parties regarding the allegation(s), the status of investigation, and outcome of the investigation.

**Reporting Requirement:** By **December 1, 2021**, the District will provide OCR a written report of the steps taken to comply with Action Item 4.

### **Action Item 5: Review of Reports**

(a) By **December 1, 2021**, the District will review the reports of sex-based harassment of the Student on or around XX to consider whether the alleged reports of sex-based harassment may have constituted prohibited sex stereotyping. If the District's review determines that the allegations may have constituted prohibited sex stereotyping, the District shall provide any required notice and opportunity to respond before issuing written notification of the final outcome of each investigation.

(b) The District will also review all other reports alleging sex-based harassment that the District received during the XXXXXX and XXXXXXXX school years (until the date of this Resolution Agreement) to assess whether any additional measures are necessary to eliminate and/or prevent a hostile environment in the District's programs and activities. In making this assessment, the District will consider whether its original response(s) considered whether the sex-based harassment at issue may have constituted prohibited sex stereotyping.

Reporting Requirement: By **January 10, 2022**, the District will provide OCR documentation of:

- i. the review process, notices of outcome, and correspondence with parties referenced in Action Item 5(a); and
- ii. the District's consideration and implementation of measures pursuant to Action Item 5(b), if any, and materials supporting its assessment.

### **Action Item 6: Parent Meeting**

By **December 1, 2021**, the Superintendent will send a letter (via both email and U.S. mail) to the Student's parents last known addresses. The letter will state that the Superintendent will make herself available, by phone and/or virtually, to meet with the parents (and the Student, if his parents wish for him to attend) to discuss (1) any concerns that they may have about alleged incidents of sex-based harassment that have occurred within the educational programs and activities of the District and (2) the ways in which the District intends to support the Student if he returns to a District program. The letter will provide the family with 30 days to accept this invitation.

Should the Student's parents accept, the Superintendent will meet with the Student's parents (and Student, if appropriate) at a mutually agreeable date and time within 20 calendar days to discuss the topics referenced above.

Reporting Requirement: By **January 15, 2021**, the District will provide OCR:

- i. a copy of the written invitation sent to the Student's parents; and
- ii. a statement regarding whether the Student's parents accepted the invitation; and if so, a summary of the discussion at the meeting

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the

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 and obligations of this Agreement. Upon the District's satisfaction of the commitments made under the Agreement, OCR will close the case.

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statute(s) and regulation(s). Before initiating such proceedings, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

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

By: \_\_\_\_\_ Date: \_\_\_\_\_  
Christi Michaud, Superintendent