

RESOLUTION AGREEMENT

Gloversville Central School District 02-11-1077

In order to resolve the compliance concerns identified in Case No. 02-11-1077, the Gloversville Central School District assures the U.S. Department of Education, New York Office for Civil Rights (OCR), that it will take the actions detailed below pursuant to the requirements of Title IX of the Education Amendments of 1972 (Title IX), as amended, 20 U.S.C. § 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106.

Action Item 1:

Beginning with school year 2013-2014, the District will provide the girls' varsity softball team with opportunities to participate in night games on a lighted field that are equivalent to those provided to athletes on the boys' varsity baseball team.

Reporting Requirement: By July 1, 2014, the District will provide the schedule of all games played by the girls' varsity softball team and the boys' varsity baseball team during the 2013-2014 school year indicating the date, time, and location of each game. If any game was rescheduled, the District will provide a detailed explanation of the reasons why it was rescheduled, and indicate where and when the game was played.

Action Item 2:

Beginning with school year 2013-2014, the District will ensure that the softball fields have adequate drainage.

Reporting Requirement: By January 1, 2014, the District will provide photographs and documentation demonstrating that it has provided the girls' softball teams with facilities with adequate drainage.

Action Item 3:

Beginning with school year 2013-2014, the District will ensure that the field used by the girls' field hockey team, the girls' varsity soccer team and the boys' varsity soccer team provides an appropriate playing surface with respect to the height of the grass.

Reporting Requirement: By December 1, 2013, the District will provide documentation of the field maintenance performed by the District on the field used by the girls' field hockey team, the girls' varsity soccer team and the boys' varsity soccer team for the fall 2013 season, including a log and/or detailed written description of the work.

The District understands that OCR will not close the monitoring of this agreement until OCR determines that the District has fulfilled the terms of this agreement and is in compliance with the regulation implementing Title IX, at 34 C.F.R. § 106.41(c)(3), 34 C.F.R. § 106.41(c)(7), which were at issue in this case. The District also 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 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. 34 C.F.R. § 106.41(c)(3), 34 C.F.R. § 106.41(c)(7), which were at issue in 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 proceeding 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.

The District has disputed the complaint underlying this Resolution Agreement, but it has determined that it is in its interest to agree to an amicable resolution by entering into this Resolution Agreement. By agreeing to this Resolution Agreement, neither the District nor any of its officials, officers, employees, agents or representatives admit to any liability or wrongdoing, and nothing herein shall be construed as an admission of liability or wrongdoing. The signing of this Agreement is not intended, and shall not be construed, as any admission that the District violated any federal, state or local law, ordinance or regulation; violated any of its policies or procedures; or committed any wrongdoing or wrongful act against the complainant or any other person.

Date

Michael Vanyo
Superintendent of Schools
Gloversville Central School District