

RESOLUTION AGREEMENT

Potsdam Central School District OCR Case No. 02-19-1288

In order to resolve Case No. 02-19-1288, the Potsdam Central School District (the District) assures the U.S. Department of Education, 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: Individual Remedies for the Student

By November 30, 2019, the District will notify the complainant of the outcome of its investigation. The District will also determine whether remedial services or other measures are appropriate to offer to the Student, including counseling provided by the District or other agency with expertise or experience in providing counseling services related to sexual assault. If so, the District will offer remedial services to the complainant by November 30, 2019.

If the complainant indicates on or before December 15, 2019 that she intends to accept counseling, the District, in conjunction with the counselor and complainant, will develop a plan for providing counseling, , with a completion date for providing the services no later than June 30, 2020.

Reporting Requirements:

- a) By December 15, 2019, the District will provide documentation to OCR demonstrating that it informed the complainant of the outcome of the investigation and offered appropriate remedies to the Student.
- b) By December 20, 2019, the District will submit to OCR to an explanation for decisions made regarding remedial services, and a description of and schedule for providing remedial services, if any, to the Student.
- c) By July 15, 2020, the District will provide documentation to OCR demonstrating that it has provided the Student with any remedial services deemed appropriate. The documentation will include the dates and times that the services were provided, a description of the services provided, and the name(s) of the service providers.

Action Item 2: Training

By December 20,, 2019, the District will provide training to the principal of Potsdam High School and any other District officials and administrators who will be directly involved in processing, investigating and/or resolving complaints of sex discrimination (including sexual harassment and assault/violence), or who will otherwise coordinate the District's compliance with Title IX. The District's training will include (a) a review of the District's grievance procedures for Title IX complaints; (b) the types of conduct that might constitute discrimination or harassment on the basis

of sex, including sexual harassment and assault/violence; (c) the District’s responsibilities under Title IX to address allegations of sex discrimination, including sexual harassment and assault/violence (including providing interim measures, treating the parties equitably, and notifying the parties of the outcome of the investigation); and, (d) how to conduct and document adequate, reliable, and impartial Title IX investigations.

Reporting Requirement: By January 3, 2020, the District will provide documentation to OCR demonstrating that it provided training in accordance with the Action Item 2 above. The documentation will include, at a minimum, the name(s) and credentials of the trainer(s); the date(s) and time(s) of the training(s); the names and positions/titles of staff in attendance; confirmation of whether all relevant employees have been trained (and if not, how many remain); and, copies of any training materials distributed.

The District understands that by signing this resolution agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. Further, the District understands that during the monitoring of the resolution 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 the resolution agreement. Upon the District’s satisfaction of the commitments made under the resolution agreement, OCR will close this case.

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

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

November 21, 2019
Date

_____/s/_____
Authorized Representative
Potsdam Central School District