

Voluntary Resolution Agreement
OCR Docket #03-14-1102
Southeast Delco School District

In order to resolve the allegations in the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), under Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681 *et seq.*, and its implementing regulation, 34 C.F.R. Part 106, Southeast Delco School District (the District) voluntarily enters into this Resolution Agreement (Agreement). This Agreement does not constitute an admission of liability on the part of the District, nor does it constitute a determination by OCR that the District violated any of the regulations enforced by OCR.

ACTION STEPS

1. The District recognizes its obligation under Title IX at 34 C.F.R. §§ 106.31 and 106.41 to ensure that no person, on the basis of XXX, be excluded from participation in, be denied the benefits of, be treated differently from another person, or otherwise be discriminated against in any program or activity.
2. By June 30, 2014, the District will review and, as necessary, revise its written policies and procedures, including but not limited to its interscholastic, club, and intramural athletics programs' policies and procedures, to ensure that:
 - a. Students of both XXXXX will not, on the basis of XXX, be excluded from participation in, be denied the benefits of, be treated differently from another person, or otherwise be discriminated against in any program or activity, including but not limited to interscholastic, club, and intramural athletics, in compliance with federal law. Notwithstanding these requirements, the District may operate or sponsor separate teams for members of XXXX XXX where selection for such teams is based upon competitive skill or the activity involved is a contact sport. However, where a recipient operates or sponsors a team in a particular sport for members of XXX XXX but operates or sponsors no such team for members of the XXXXX XXX, and athletic opportunities for members of that XXX have previously been limited, members of the XXXXXXXX XXX must be allowed to try-out for the team offered unless the sport involved is a contact sport (e.g., boxing, wrestling, rugby, ice hockey, football, basketball and other sports the purpose or major activity of which involves bodily contact).
 - b. When the District allows members of the XXXXX XXX to participate in a contact sport, it will do so in a non-discriminatory manner.
3. By June 30, 2014, the District will distribute a memorandum to all of its staff members and administrators, including paid and volunteer athletic staff, which explains that different treatment of students on the XXXXX XX XXX is a violation of Title IX, including its implementing regulation at 34 C.F.R. § 106.31.

