

**RESOLUTION AGREEMENT**  
**Purchase Line School District**  
***OCR Case No. 03-16-1314***

OCR and Purchase Line School District (the District) enter into this Resolution Agreement (Agreement) to resolve the above-referenced complaint. This agreement does not constitute an admission of liability by the District. The District assures OCR that it will take the following actions to comply with the requirements of Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any program or activity receiving Federal financial assistance from the Department.

**Memorandum to All Staff**

1. Within 30 days of signing this Agreement, the District will issue a memorandum to all District staff notifying them of the District's responsibility to respond to incidents of sexual harassment, including sexual violence, of which it has notice that take place in any District program or activity. XXXXXX. The memorandum will address the District's obligation to comply with law enforcement requests for cooperation, and that such cooperation may require that the fact-finding aspect of the investigation may be temporarily suspended while the law enforcement agency is in the process of gathering evidence, but the District must conduct its own investigation and provide notice of its findings of that investigation to the parties involved.

**Reporting Requirement**

Within 60 days of signing this Agreement, the District will provide OCR with a copy of the memorandum required by Action Step #1 and documentation demonstrating that it has been distributed, including the method of distribution, and the names and titles of all individuals who received the memorandum.

**Publication of Grievance Procedures**

2. Within 30 days of signing this Agreement, the District will ensure that its Policy 248 "Unlawful Harassment" is widely distributed and available to all students, staff, and parents/guardians within the District. The District will ensure Policy 248 is available on its website and contained in written publications and will notify students, parents/guardians, and employees of Policy 248 and where it is located.

### **Reporting Requirement**

Within 60 days of signing this Agreement, the District will provide OCR with documentation that it has implemented Action Step #2 above, including the link to Policy 248 on the District's website and copies of handbooks in which it is published as well as the written notice provided to students/parents/guardians and employees regarding Policy 248.

### **Training for Title IX Coordinator and District Personnel**

3. Within 60 calendar days of signing this Agreement, the District will develop and provide Title IX training to its Title IX Coordinator and any other District employees who will be directly involved in processing, investigating, and/or resolving complaints of sex discrimination (including sexual harassment) or who will otherwise assist in the coordination of the District's compliance with Title IX. The District will also ensure that the Title IX Coordinator does not have other job responsibilities that may create a conflict of interest. This training will be in person and will address:
  - a. the District's policies and grievance procedures for Title IX complaints;
  - b. sex discrimination and the District's responsibilities under Title IX to address allegations of sexual harassment, whether or not the actions are potentially criminal in nature;
  - c. recognizing and appropriately responding to allegations and complaints pursuant to Title IX, including conducting interviews of victims and communicating in a fair, non-biased, and objective manner that does not discourage victims from reporting or continuing with their complaints;
  - d. how to conduct and document adequate, prompt, reliable, and impartial Title IX investigations, including the appropriate legal standards to apply in a Title IX investigation and how they differ from those in a criminal investigation;
  - e. how to notify complainants of the right to file a criminal complaint; and
  - f. how to coordinate and cooperate with law enforcement during parallel criminal and Title IX proceedings.

### **Reporting Requirement**

Within 90 calendar days of signing this Agreement, the District will provide OCR with documentation that the training session required by Action Step #3 took place, including copies of sign-in sheets, agendas, and identification of any presenters or trainers. The District will also provide verification that any materials used during these training sessions were disseminated to any individuals covered by Action Step #3 who were unable to attend the training session(s), including the names and titles of the individuals who received the information.

**XXXXXX**

4. XX – paragraph redacted – XX

#### **Reporting Requirement**

XX – paragraph redacted – XX

#### **Record Keeping**

5. Within 60 days of signing this Agreement, the District will develop a centralized record-keeping process for documenting and tracking complaints of sexual harassment, including sexual assault and sexual violence. The process will require the District to maintain information that includes the name of the individual who reported the allegation, the identification of the alleged victim and alleged perpetrator, notes from witness interviews, documentation of investigative steps completed, and the determination, including disciplinary actions, if any. The District will also indicate the individual(s) responsible for maintaining and reviewing this information and the location where the records will be maintained.

#### **Reporting Requirement**

Within 90 calendar days of signing this Agreement, District will provide OCR with a description of its record-keeping process developed under Action Step #5 and will provide supporting documents, such as a copy of any record-keeping forms developed or screenshots of any computerized record-keeping system it developed.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the District understands that during the monitoring of this Agreement, 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, 34 C.F.R. § 106.31, which was at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close and dismiss 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 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/

7-16-18

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District Superintendent or Designee

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Date