

**Resolution Agreement**  
**Howard County Public School System**  
**OCR Docket Number 03-16-1886**

In order to resolve the allegation 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; and Section 504 of the Rehabilitation Act of 1973 (Section 504), as amended, 29 U.S.C. § 794, and its implementing regulation at 34 C.F.R. Part 104; Howard County Public School System (the District) commits to implement the provisions set forth in 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.

**Memorandum**

1. By October 1, 2018, the District will issue a memorandum to all staff who are directly involved in processing, investigating and/or resolving complaints of sexual discrimination (including sexual harassment), or who will otherwise assist in the coordination of the District's compliance with Title IX, regarding the requirement to provide written notice to the Complainant of the outcome of the District's investigation within a prompt timeframe. 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. The memorandum will clarify, however, that the District will promptly resume its investigation upon notification by the law enforcement agency that it has completed the evidence gathering process, which typically takes three to ten calendar days, although the delay may be longer in certain circumstances.

Reporting Requirement: By October 1, 2018, the District will provide OCR with a copy of the memorandum 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.

**Training**

2. By October 1, 2018, the District will provide training for all staff who are directly involved in processing, investigating and/or resolving complaints of sexual discrimination (including sexual harassment), or who will otherwise assist in the coordination of the District's compliance with Title IX, regarding the requirement to provide written notice to the Complainant within a prompt timeframe. The training will further 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. The training will clarify, however, that the District will promptly resume its investigation upon notification by the law enforcement agency that it has completed the evidence gathering process, which typically takes three to ten calendar days, although the delay may be longer in certain circumstances.

Reporting Requirement: By October 1, 2018, the District will provide OCR with documentation to OCR that the training session required by Action Step #1 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 1 who were unable to attend the training session(s), including the names and titles of the individuals who received the information.

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 complied with the terms of this Agreement and the regulations implementing Title IX at 34 C.F.R. § 106.8 which were at issue in this complaint. 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, including 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.

/s/

4/4/18

\_\_\_\_\_  
Superintendent or Designee

\_\_\_\_\_  
Date

/s/

4-5-18

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U.S. Department of Education,  
OCR Philadelphia Director or designee

\_\_\_\_\_  
Date