

**Voluntary Resolution Agreement  
Hamburg Area School District  
OCR Complaint #03181367**

The U.S. Department of Education, Office for Civil Rights (OCR), conducted a complaint investigation of the Hamburg Area School District (the District), pursuant to Title IX of the Education Amendments of 1972 (Title IX), and its implementing regulation, at 34 C.F.R. §106.41, which prohibits discrimination based on sex by recipients of Federal financial assistance. The District, as a recipient of Federal financial assistance, is subject to the requirements of Title IX.

Prior to the completion of OCR's investigation, the District agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to resolve the issues of this investigation, the District agrees to take the following actions. In entering into this Agreement, OCR acknowledges that it has not made a finding that the District failed to adhere to, abide by, or in any other way failed to observe the statutes and/or regulations that OCR enforces.

**A. Locker Rooms, Practice and Competitive Facilities**

1. The District commits that the girls' interscholastic athletic programs within the District, as a whole, will receive and have equivalent access to locker rooms, practice fields and/or facilities, and competitive fields and/or facilities, comparable to that provided to the boys' interscholastic athletics program, as a whole.
2. By March 31, 2019, the District will complete a fair and comprehensive evaluation and comparison of the locker rooms, practice fields and/or facilities, and competitive fields and/or facilities, assigned to the boys' and girls' interscholastic athletic programs in the District. The evaluation will include the following factors: quality and availability of the fields and/or facilities provided for practice and competitive events; exclusivity of use of facilities provided for practice and/or competitive events; availability of locker rooms; quality of locker rooms; maintenance of practice and competitive fields and/or facilities; and preparation of fields and/or facilities for practice and competitive events.
3. If the District determines that the boys' and the girls' interscholastic athletic programs are not receiving comparable locker rooms, practice fields and/or facilities, and competitive fields and/or facilities, the District will correct the inequities of such locker rooms, fields and/or facilities to make them equivalent. If the District determines that the locker rooms, fields and/or facilities currently assigned to the girls' and boys' interscholastic athletic programs are comparable, the District will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based, as reflected in Section B, below.

**B. Reporting Requirements**

1. By April 1, 2019, the District will provide OCR with its written report of its evaluation concerning the District's locker rooms, practice and competitive facilities. This report will include a description of the process used in conducting the evaluations, the information, including appropriate documentation, considered, and the conclusions reached, pursuant to Section A above.

2. By May 1, 2019, if the District determines that the boys' and girls' interscholastic teams are not receiving comparable locker rooms, practice and competitive facilities, the District will provide OCR with a finalized copy of the plan(s) developed to correct the inequities identified in the evaluations, and by August 1, 2019, and December 31, 2019, will provide OCR with reports concerning the status of the implementation of the plan(s).

The District understands that by signing the 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 recipient has fulfilled the terms and obligations of the Resolution Agreement.

Upon the District's satisfaction of the commitments made under the Agreement, OCR will close the 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.

/s/

12/20/18

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Superintendent or designee  
Hamburg Area School District

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Date