

**RESOLUTION AGREEMENT**  
**Boone County School District**  
***OCR Case No. 03-20-1278***

The Boone County School District (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 03-20-1278. This Agreement does not constitute an admission by the District of a violation of Title IX of the Education Amendments of 1972 (Title IX), or any other law enforced by OCR.

The Agreement concerns the athletic programs at Van Junior/Senior High School (the School).

Action Items

1. The District commits that the girls' interscholastic athletic programs at the School, 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 **June 1, 2021**, 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 at the School (Evaluation). In assessing compliance, the District will compare the availability, quality and kinds of benefits, opportunities, and treatment afforded to the District's male and female athletes in the provision of locker rooms, practice and competitive facilities, to determine whether they are equivalent. Under this equivalency standard, identical benefits, opportunities, or treatment are not required as long as the effects of any differences are negligible. 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. As part of its consideration of these factors, the Evaluation will discuss:
  - a. The quality and condition of the space;
  - b. The amenities associated with the practice and/or competitive facility, including:
    - i. For locker rooms:
      1. Number and size of lockers;
      2. Bathroom facilities;
      3. Shower facilities;
      4. Laundry facilities;
      5. Whether there is locker room space for the visiting team; and
      6. Other amenities in the locker room.
    - ii. For practice and competitive facilities:
      1. Spectator capacity;
      2. Lighting;
      3. Public address system;

4. Scoreboards;
    5. Press box;
    6. Concessions;
    7. Training equipment (e.g., pitching machines); and
    8. Training spaces (e.g., batting cage).
  - c. Whether the space is on campus, including the distance from campus; and
  - d. The exclusivity of use (i.e., how many teams share the space).
3. By **July 16, 2021**, the District will develop a Compliance Plan to address any inequities described in the Evaluation. The Compliance Plan shall also include a detailed description of the methods by which the District will provide equivalent treatment, benefits, and opportunities to female and male student athletes with respect to the provision of locker rooms, practice and competitive facilities. The Compliance Plan will include consideration of the information in the Assessment Component and include a timeline for ensuring that, by December 30, 2022, it provides equivalent treatment, benefits, and opportunities to female and male student athletes with respect to the provision of locker rooms, practice and competitive facilities at the School.
4. By **December 30, 2022**, the District will fully implement its Plan, as approved by OCR.

#### **REPORTING REQUIREMENTS:**

- A. By **July 30, 2021**, the District will submit to OCR, for review and approval, the following items:
- a. The Evaluation, conducted pursuant to Action Item 2 above.
  - b. The Compliance Plan, as described in Action Item 3 above.
- B. By **February 15, 2022**, the District will submit a status report to OCR, demonstrating the portions of the Compliance Plan it has implemented by February 1, 2022.
- C. By **July 15, 2022**, the District will submit a status report to OCR, demonstrating the portions of the Compliance Plan it has implemented by July 1, 2022.
- D. By **January 13, 2023**, the District will submit its final report to OCR, demonstrating its completion of the Compliance Plan by December 30, 2022.
- E. If during the course of this agreement, but no later than **May 1, 2022**, the District determines it cannot meet the benchmarks established in the Compliance Plan, it shall submit a revised Compliance Plan that outlines the new benchmarks for ensuring that, by December 30, 2022, it provides equivalent treatment, benefits, and opportunities to female and male student athletes with respect to the provision of locker rooms, practice and competitive facilities at the School.

The District understands that by signing this Agreement, it agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the Agreement. Further, the District understands that during the monitoring of this 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 this Agreement. Upon the District's satisfaction of the terms and obligations of the Agreement, OCR will close the 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 a minimum of sixty (60) calendar days to cure the alleged breach.

By: \_\_\_\_\_ Date: 3/16/21  
Superintendent or Designee  
Boone County Schools