

Resolution Agreement
Wayne Highlands School District
OCR Complaint #03-20-1279

The U.S. Department of Education, Office for Civil Rights, (OCR) and the Wayne Highlands School District (the District) enter into this resolution agreement (Agreement) to resolve the allegation in OCR complaint number 03-20-1279. The District assures OCR that it will take the following actions to comply with the requirements of Title IX of the Education Amendments Act of 1972 (Title IX) and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex by recipients of Federal Financial assistance.

All references to the Title IX regulation in this Agreement shall include the amendments promulgated by the U.S. Department of Education on May 19, 2020, at 85 FR 30026.

In order to address the concerns identified in OCR complaint 03-20-1279, the District agrees to the following terms:

ACTION STEPS AND REPORTING REQUIREMENTS

Action Step #1 – District Dress Code Policy Revisions

By July 1, 2022, the District will revise its existing dress code(s) to ensure its compliance with Title IX. The revised dress code will include, at a minimum:

- a. A statement that the District will not discriminate on the basis of sex in the administration of its dress code; and
- b. A description of what students, parents, and staff may do if they believe that the dress code has been applied in a discriminatory manner, including a reference to the District's Title IX policy, and name and contact information for the District's Title IX Coordinator.

Reporting Requirement #1

By July 15, 2022, the District will provide OCR with a draft of its revised dress code policy, for OCR review and approval. Within 30 days of OCR approval of the District's revised dress code policy, the District will provide OCR with documentation reflecting the publication of the revised dress code policy. This documentation will include, at a minimum, a link to all online publications containing the revised dress code policy, including the District's Student Handbooks.

Action Step #2 – Memorandum

By September 1, 2022, the District will distribute a memorandum to all staff, students and parents/guardians in the District advising them of the revised dress code policy. The memorandum will include a link to the District's revised dress code policy, and a link to the District's Title IX policy, and the name and contact information for the District's Title IX Coordinator. The

memorandum will also explain how students, parents/guardians and staff may file a complaint if they believe that the dress code policy has been applied in a discriminatory manner.

Reporting Requirement #2

By September 15, 2022, the District will provide OCR with a copy of the memorandum and documentation demonstrating how the memorandum was distributed to all staff, students and parents/guardians in the District.

Action Step #3 – Apology to the Student and the Complainant

By September 1, 2022, the District shall issue a formal apology to the Student and the Complainant XX XXX. The letter will provide the Complainant and Student with a copy of the District's revised dress code policy pursuant to Action Step #1, above. The letter will further advise the Complainant and the Student that, pursuant to the revised dress code policy, XXXXXXXXXXXXXXXXXXXXXXXX XXXX.

Reporting Requirement #3

By September 15, 2022, the District will provide OCR with a copy of the letter that was sent to the Complainant and the Student.

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 this 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 and is in compliance with Title IX of the Education Amendments Act of 1972 (Title IX) and its implementing regulation, at 34 C.F.R. Part 106, which were at issue in this case. Upon the District's satisfaction of the terms and obligations of this Agreement and is in compliance with Title IX of the Education Amendments Act of 1972 (Title IX) and its implementing regulation, at 34 C.F.R. Part 106, which were at issue in this case, OCR will close the case.

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or the applicable statutes and regulations. Before initiating such proceedings, OCR will give the District written notice of the alleged breach and 60 calendar days to cure the alleged breach.

By: /s/ Date: July 5, 2022
Gregory Frigoletto, Superintendent