

**Voluntary Resolution Agreement
Bullitt County Public Schools
OCR Complaint #03221205**

The U.S. Department of Education (Department), Office for Civil Rights (OCR) and Bullitt County Public Schools (the District) enter into this Agreement to resolve the above-referenced complaint in order to comply with the requirements of Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681, and its implementing regulations at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex by recipients of Federal financial assistance. The District, as a recipient of Federal financial assistance, is subject to the requirements of Title IX and its implementing regulations.

The District affirms that, consistent with the Title IX implementing regulation at 34 C.F.R. § 106.41(a), no person shall, on the basis of sex, be excluded from participation in, be denied the benefits of, be treated differently from another person, or otherwise be discriminated against in interscholastic athletics and that it shall not provide such athletics separately on such basis. The District assures OCR that it will take the following actions to comply with Title IX and its implementing regulations, and specifically, the following provisions of the Title IX regulations which are at issue in this complaint: 34 C.F.R. § 106.31; 34 C.F.R. §§ 106.41(a); (c)(3), and (c)(10).

Prior to the completion of OCR's investigation of the complaint, the District agreed to resolve the complaint pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to resolve this complaint, 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. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District.

Action Step 1: Publicity

1. The District agrees to provide equivalent benefits and opportunities to female and male student athletes at the Middle School with respect to publicity.
2. By April 15, 2023, the District will complete an assessment of publicity services to ensure that female and male student athletes at the Middle School are provided with equivalent benefits and services in this area. The assessment will include, at a minimum:
 - a. A review of all publications and promotional materials of the athletic department at the Middle School available to the general public and/or distributed to students, staff, and alumni, including press releases, press guides, recruitment brochures, schedule cards, samples of game programs, and similar publications and/or promotional materials for each athletic team.
 - b. A review of the types of publicity or promotional services the Middle School makes available to the girls' and boys' athletic programs.
 - c. The experience and qualifications of sports information personnel and the teams to which each person is assigned.

- d. The dates that media guides are made available and distributed to the public for each team.
 - e. A review of which Middle School girls' and boys' athletic teams held a banquet, or expressed an interest in holding a banquet.
3. The District will ensure the boys' and girls' basketball teams are given an equal opportunity to have banquets following their respective 2022-2023 seasons.

Reporting Requirement, Action Step 1:

- A. By May 1, 2023, the District will submit to OCR, for its review and approval, a copy of the assessment made in satisfaction of Action Step 1(2). If the District determines that that the publicity currently provided to female and male student athletes at the Middle School is not comparable, the District will also submit a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area (Publicity Corrective Plan). If the District determines that access to publicity is comparable, the District will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.
- B. By May 1, 2023, the District will submit documentation sufficient to show its compliance with Action Item 1(3). If one team has a banquet and the other does not, the District will provide a written explanation for this disparity and documentation sufficient to show its efforts to have a banquet for both teams.
- C. If the District creates a Publicity Corrective Plan, within 90 days of OCR's approval of the Publicity Corrective Plan, the District will submit documentation sufficient to show the steps taken by the District to implement the Publicity Corrective Plan.

Action Step 2: Scheduling of Games and Practice Times

1. The District agrees to provide equivalent treatment, benefits, and opportunities to female and male student athletes at the Middle School with respect to the scheduling of games and practice time.
2. By April 15, 2023, the District will complete an assessment of its competitive events and practice schedules to ensure that female and male student athletes at the Middle School are provided with equivalent benefits and services in this area. The assessment will consider, at a minimum, whether the female student athletes at the Middle School are provided with comparable opportunities as provided to the male student athletes in the number of competitive events per sport, number and length of practice opportunities, time of day competitive events are scheduled, time of day practice opportunities are scheduled, and opportunities to engage in available pre-season and post-season competition.

Reporting Requirement, Action Step 2:

- A. By May 1, 2023, the District will submit to OCR, for its review and approval, a copy of the assessment made in satisfaction of Action Step 2(2). If the District determines

that the female and male student athletes at the Middle School are not receiving comparable scheduling for competitive events and/or practice times, the District will also submit a plan to ensure that female and male student athletes are provided with equivalent benefits and services in this area (Scheduling Corrective Plan). If the District determines that the competitive events and/or practice times currently provided to the female and male student athletes are comparable, the District will provide to OCR a report outlining that determination and the information, including appropriate documentation, upon which it is based.

- B. If the District creates a Scheduling Corrective Plan, within 90 days of OCR’s approval of the Scheduling Corrective Plan, the District will submit documentation sufficient to show the steps taken by the District to implement the Scheduling Corrective Plan.

By signing the resolution agreement, the District agrees to provide data and other information in a timely manner in accordance with the reporting requirements of the resolution agreement. 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 District has fulfilled the terms of the resolution agreement. The District understands that OCR will not close the monitoring of the agreement until such time as OCR determines that the District is in compliance with the terms of the agreement and the statute and regulations at issue in the case.

The District understands that OCR may initiate administrative enforcement proceedings or refer the case to the Department of Justice (DOJ) for judicial proceedings in the event of breach. Before initiating such proceedings, OCR will give the District written notice of the alleged breach and 60 calendar days to cure the alleged breach

This Agreement will become effective immediately upon the signature of the District’s representative below.

_____/s/_____
Superintendent or Designee
Bullitt County Public Schools

_____/9/22/2022_____
Date