



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE FOR CIVIL RIGHTS

61 FORSYTH ST., SOUTHWEST, SUITE 19T10
ATLANTA, GA 30303-8927

REGION IV
ALABAMA
FLORIDA
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August 22, 2013

Mr. Kurt S. Browning
Superintendent
Pasco County School District
7227 Land O' Lakes Blvd.
Land O' Lakes, Florida 34638

Re: Complaint #04-12-1251

Dear Mr. Browning:

The U.S. Department of Education (Department), Office for Civil Rights (OCR), has concluded its investigation of the above-referenced complaint filed against Pasco County School District (District). The Complainant alleged that during the 2010-11 and 2011-12 school years, her son (Student) and other students attending Zephyrhills High School (ZHS) have been subjected to harassment based on perceived gender stereotypes. The Complainant further alleged that ZHS staff were aware of harassment of the Student and failed to respond appropriately or otherwise failed to act.

OCR is responsible for enforcing 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. § 106, which prohibit recipients of Federal financial assistance (FFA) from the Department from discriminating on the basis of sex in any education program or activity. As a recipient of Federal financial assistance from the Department, the District is subject to the requirements of Title IX. Accordingly, OCR has jurisdiction over this complaint.

Based on the above, OCR investigated the following legal issue:

Whether the District failed to respond appropriately to student harassment at ZHS based on perceived gender stereotypes during the 2010-2011 and 2011-2012 school years, in noncompliance with the Title IX implementing regulation at 34 C.F.R. § 106.31.

During the course of OCR's investigation of this complaint, the District offered to resolve this complaint through a voluntary resolution agreement. Pursuant to OCR's *Complaint Processing Manual* (CPM), at Section 302, a complaint may be resolved when, before the conclusion of an investigation, the recipient requests to resolve the complaint. Based on the foregoing, OCR accepted the District's request to resolve this complaint and the District entered into the enclosed Resolution Agreement (Agreement), which when fully implemented, will resolve the issue in this complaint.

The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.

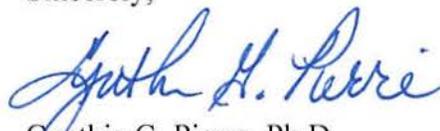
OCR will monitor the District's implementation of the Agreement to ensure that it is fully implemented. If the District fails to fully implement the Agreement, OCR will reopen the case and take appropriate action to ensure compliance with Title IX. Further, the Complainant may file a private lawsuit in federal court regardless of whether OCR finds a violation.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records, upon request. If we receive such a request, we will seek to protect, to the extent possible, personally identifiable information that, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

Please be advised that the District may not harass, coerce, intimidate, or discriminate against any individual because he or she has filed a complaint or participated in the complaint resolution process. If this happens, the Complainant may file another complaint alleging such treatment.

This concludes OCR's consideration of this complaint, which we are closing effective the date of this letter. If you have any questions regarding this complaint, please contact Mr. Michael Bennett, Investigating Attorney, at (404) 974-9274 or Wendy Gatlin, Compliance Team Leader, at (404) 974-9356.

Sincerely,

A handwritten signature in blue ink that reads "Cynthia G. Pierre". The signature is fluid and cursive.

Cynthia G. Pierre, Ph.D.
Regional Director

Enclosure

Cc: Dennis J. Alfonso, Esq.