

Resolution Agreement (Amended)
Polk County School District (Tennessee)
OCR Docket Number 04-15-1568

The U.S. Department of Education, Office for Civil Rights (OCR) and Polk County School District (District) enter into this Amended Agreement to resolve the allegations in the above-referenced complaint. This Amended Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District. The District assures OCR that it will take the following actions to comply with the requirements of Title IX of the Education Amendments of 1972 (Title IX), as amended, 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulation, 34 C.F.R. § 106, which prohibit recipients of Federal financial assistance from the Department from discriminating on the basis of sex in any educational program or activity.

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.

Facilities

Action Step #1

Until the District constructs a level regulation soccer field¹ including a locker room facility or use of a locker room facility comparable to other sports and installs a scoreboard, the District will allow the girls' soccer team to practice and play its games on the football field and use the football locker room facilities. Once the District constructs the regulation soccer field it will be used exclusively by the soccer team for practices and games during the season.

Reporting Requirement:

1. **By November 15, 2018 and by July 15, 2019**, the District will provide OCR with evidence that all interested parties have been notified that the girls' soccer team will be using the football field for its practice and games until a soccer field is constructed by the District. The District will also provide a plan to resolve any conflicts in scheduling that may arise between the soccer team and the football team and how access issues if they arise will be handled by the District.

Action Step #2

By January 31, 2019, the District will ensure that the softball team has exclusive or comparable (to all other teams) use of a locker room facility when both softball and baseball have home games.

¹ Per the National Federation of State High School Association soccer rule book.

Reporting Requirement:

By March 31, 2019, the District will provide OCR with documentation (e.g., coach statement) and pictures showing the locker room facility that is available to the softball team.

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 additional reports or data as are necessary for OCR to determine whether the District has fulfilled the terms of this Agreement. The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the Title IX implementing regulation at 34 C.F.R. §§106.41(a) and (c)(7). Upon completion of the obligations under this Agreement, OCR shall close and dismiss this 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 sixty (60) calendar days to cure the alleged breach.

This Resolution Agreement will become effective immediately upon the signature of the Superintendent or his/her designee below.

_____/s/_____
Superintendent

12/3/18
Date