

**Resolution Agreement
Volusia County Schools, FL
OCR Complaint #04-16-1204**

The U.S. Department of Education, Office for Civil Rights (OCR) and Volusia County School District (District) enter into this Resolution Agreement (Agreement) to resolve the allegations in the above-referenced complaint. This 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), 20 U.S.C. § 1681, *et seq.*, and its implementing regulation, 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any educational program or activity receiving Federal financial assistance.

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 (CPM). Accordingly, to resolve the issues of this investigation, the District voluntarily agrees to take the following actions:

Revision of Chorus Course Offerings

By November 1, 2018, the District will cease offering any chorus courses or extracurricular activities to students of only one sex unless it complies with the requirements of 34 C.F.R. Section 106.34(b), and will offer all chorus opportunities in a manner that complies with the Title IX regulation at 34 C.F.R. Section 106.34.

If the District chooses to offer chorus courses or other opportunities that have requirements based on vocal range or quality, both male and female students will be allowed to demonstrate whether they meet the requirements and will be allowed to participate if they meet the requirements. Also, the District shall revise the title and description of the courses to remove any reference to sex and specify the vocal range or quality required for participation in the course.

REPORTING REQUIREMENTS:

By November 30, 2018, the District will provide OCR with a listing and description of all chorus courses or extracurricular activities being offered in the District. The District shall also provide OCR with a copy of the revised course catalogue(s) evidencing its revisions. For each course for which there is a specified vocal range or quality, the District will provide information demonstrating the requisite vocal range or quality, how vocal range or quality is measured, and how students are allowed to demonstrate whether they meet the course requirement.

By May 15, 2019, for each course at the School for which there is a specified vocal range or quality the District will provide OCR the following information: how students were allowed to demonstrate whether they met the requirements; the individual(s) responsible for determining whether students met the requirement and how the individuals made that

determination; the number of students by sex who sought to demonstrate that they met the requirement; the number of students by sex who demonstrated that they met the requirement; and, the number of students by sex who enrolled in the in the class.

Training

By February 1, 2019, the District will provide training to the School’s Principal, Assistant Principal, guidance counselor(s), and instructors of chorus and vocal courses regarding Title IX’s prohibition of different treatment based on sex.

REPORTING REQUIREMENT: By February 20, 2019, the District will provide OCR with (1) documentation showing the completion of the above-referenced training; (2) the name and qualifications with respect to knowledge of Title IX of the person who provided the training; (3) the names and job titles of persons attending the training and; (4) the dates and the agenda for the training, along with any training materials displayed or distributed.

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 of this Agreement. Upon the District’s satisfaction of the commitments made under this 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 sixty (60) calendar days to cure the alleged breach.

Superintendent or Designee
Volusia County School District, Florida

Date

Printed Name