

Settlement Agreement (#05-10-1263) LaPorte Community School Corporation

The U.S. Department of Education, Office for Civil Rights (OCR), investigated complaint #05-10-1263, filed against the LaPorte Community School Corporation (Corporation), pursuant to Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §1681-1688, and its implementing regulation, 34 C.F.R. Part 106, which prohibit discrimination based upon sex in any education program or activity receiving Federal financial assistance. To ensure compliance with Title IX and its implementing regulations with respect to the issues raised in this complaint, the Corporation agrees to take the following actions. Nothing in this Agreement shall be construed to be an admission of liability or wrongdoing by the Corporation.

Effective immediately, the Corporation agrees to take all steps necessary to ensure that students enrolled in the Corporation are not subjected to a hostile environment on the basis of sex. To this end, the Corporation will promptly investigate all incidents of sexual harassment of which it has notice and will take appropriate disciplinary action against students or staff who violate Corporation policies and procedures addressing sexual harassment. The Corporation will take prompt and effective responsive action to end sexual harassment, prevent its recurrence, and where appropriate, take steps to remedy the effects of sexual harassment on the affected students.

ANTI-HARASSMENT STATEMENT

1. By May 11, 2015, the Corporation will submit to OCR for review and approval, a statement to be issued to the Corporation community, including students, parents, administrators and staff, stating the Corporation's policy that it does not tolerate sexual harassment. The statement will acknowledge that the prohibited sexual harassment includes sexual misconduct by employees toward students and any other harassment based on sex. The statement will encourage any student who believes he or she has been subjected to sexual harassment to report the incident(s) to the Corporation and note the Corporation's commitment to conducting a prompt investigation. The statement will remind employees of their duty to report all allegations of sexual harassment of which they become aware to the designated staff members. The statement will include the appropriate contact information for the designated staff member(s) to whom students or parents may report allegations of sexual harassment. The statement will warn that students or employees found to have engaged in acts of sexual harassment and employees who fail to report suspected harassment to designated staff members will be promptly disciplined and make clear that such discipline may include, if circumstances warrant, suspension or expulsion of a student and suspension or termination of an employee. The statement will further warn that students or employees who retaliate against individuals who report sexual harassment will be promptly disciplined. Within 30 days¹ of receipt of notice of OCR's approval of the statement, it will be widely published, including by printing in the Corporation's newsletter and on the Corporation's website and posting in all Corporation schools.

¹ For purposes of this Agreement, the term "days" shall indicate calendar days, unless otherwise specifically noted.

REPORTING REQUIREMENT: By May 11, 2015, the Corporation will provide OCR the statement referenced in Item #1 that it proposes to publish. Within 30 days of receipt of notice of OCR's approval of the statement, the Corporation will provide OCR documentation that the statement referenced in Item #1 has been widely published, including copies of the Corporation's newsletter and relevant pages of its website and documentation of the postings in the schools.

TITLE IX SEXUAL HARASSMENT POLICIES AND PROCEDURES

2. By May 18, 2015, the Corporation will review and revise its written policies and procedures relating to sexual harassment to ensure that they adequately address incidents of sexual harassment of any kind, including sexual harassment of students by employees, including teachers or coaches, and provide for the prompt and equitable resolution of complaints alleging sexual harassment.² The Corporation will ensure that these revised policies and procedures include, at a minimum, the following:
 - a. a statement setting forth the Corporation's commitment to having a school environment free from all sexual harassment, explaining that the Corporation prohibits sexual harassment in the school environment, including all academic, extra-curricular and school-sponsored activities, encouraging students and parents to immediately report incidents of harassment, emphasizing that staff are required to promptly report incidences of harassment to the harassment complaint coordinator, and specifying that the Corporation will investigate formal and informal complaints of sexual harassment;
 - b. examples of the type of conduct and behavior that is covered by the policy, including examples of staff-to-student and student-to-student conduct;
 - c. identification of the kinds of activities and sites where prohibited conduct could occur;
 - d. an explanation of how to report sexual harassment and/or file a complaint (formally or informally);
 - e. a description of the formal complaint procedures, including a complaint form, timeframes for major stages of the investigation and for completion of the investigation of a complaint, a requirement that written notice of the outcome be provided to the parties, notice of a student's right not to appear in the same hearing room as the

² For purposes of this Agreement, "complaints" includes not just complaints filed through the Corporation's grievance procedures, but also reports of sexual harassment the Corporation receives and sexual harassment of which Corporation personnel become aware.

- accused, a requirement that both parties will be given equal opportunity to present evidence, an assurance that both parties will receive periodic status updates (to the extent permitted under the Family Educational Rights and Privacy Act), an appeal process for both parties conducted in an impartial manner by an impartial decision-maker, and an assurance that the Corporation will keep the complaint and investigation confidential to the extent possible;
- f. an assurance that the Corporation uses the preponderance of the evidence standard of review in its investigation of complaints;
 - g. specific information as to the name or title and contact information (including office and email address and telephone number) for the Corporation employee(s) responsible for receiving the complaint form and/or investigating reports of sexual harassment;
 - h. a prominent statement that the complainant has the option to pursue a criminal complaint with an appropriate law enforcement agency, to pursue a sexual harassment complaint under the Corporation's complaint procedures, or to pursue both processes simultaneously;
 - i. a requirement that all employees who observe acts of sexual harassment intervene to stop the harassment, unless circumstances would make such intervention dangerous, and document all such incidents;
 - j. In conjunction with Item 2.i., above, a requirement that the Corporation establish a protocol for recordkeeping of such incidents;
 - k. a statement that the Corporation will take appropriate disciplinary action against students and staff who violate the Corporation policies and procedures addressing harassment, and examples of the range of possible disciplinary sanctions;
 - l. prohibition of retaliation against persons who report harassment or participate in related proceedings, and discipline of individuals who engaged in retaliation;
 - m. a statement that the Corporation will, where appropriate, take interim measures to ensure the safety of students reported to be victims of sexual harassment, such as no-contact orders, and will also, where appropriate, take steps to remedy the harm to the victim(s) and others and examples of the types of remedies available, including the provision of counseling to students who have been subjected to or

who have engaged in sex-based harassment and that counseling services will be made available to the harasser;

- n. identification of the means to investigate incidents of sexual harassment, including but not limited to the various steps the Corporation will take to conduct adequate, reliable and impartial investigations of reported incidents, an assurance that the Corporation will take action to stop the harassment, remedy the harassment, and prevent recurrence, and the Corporation's standards for determining whether a hostile environment exists;
- o. an assurance that the Corporation will keep complaints and investigations confidential to the extent possible and to the extent permitted by law;
- p. a statement that the Corporation will take reasonable steps to deter future discrimination, and to remedy the discriminatory effects on the victim(s) and others if the findings demonstrate that discrimination (or sexual harassment occurred) in violation of Corporation policy; and
- q. a recitation of the Corporation's obligations to:
 - i. resolve allegations of sexual harassment that come to the attention of Corporation or school staff in accordance with revised Corporation policy and procedures;
 - ii. maintain on going contact with the individual allegedly harassed throughout the investigation;
 - iii. contact the individual allegedly harassed within a reasonable period of time following the conclusion of the investigation to determine whether additional supportive measures are needed; and
 - iv. inform relevant members of the school community if the circumstances of an incident of alleged sexual harassment suggest a threat to others. This may include, for example, notifying parents and employees if a student is sexually assaulted on the way home from school or notifying employees of areas where harassment occurs.

The Corporation will include in its Title IX procedures a provision for conducting a biennial review of its procedures to ensure the Corporation is acting to prevent sex discrimination (including harassment), to stop when it occurs and remedy it when it is found to have occurred.

REPORTING REQUIREMENT: By June 1, 2015, the Corporation will submit to OCR for its review and approval its revised policies and procedures referenced in Item #2. If the Corporation further revises the policies and procedures referenced in this item during the pendency of OCR's monitoring of this case, the Corporation will submit to OCR for review and approval the further revised policies and procedures prior to implementing any revisions.

3. By May 11, 2015, the Corporation will examine the Corporation's code of conduct and disciplinary procedures for employees and students to determine whether the current rules of behavior and offense categories appropriately and adequately address violations of the Corporation's sexual harassment policies and procedures including non retaliation provisions, as developed pursuant to Item #2 and will revise the codes of conduct and disciplinary procedures to the extent necessary to ensure it contains such rules of behavior and offense categories.

REPORTING REQUIREMENT: By June 1, 2015, the Corporation will submit to OCR for its review and approval its revised policies and procedures referenced in Item #3. If the Corporation further revises the policies and procedures referenced in this item during the pendency of OCR's monitoring of this case, the Corporation will submit to OCR for review and approval the further revised policies and procedures prior to implementing any revisions.

4. Within 30 days of receipt of notice of OCR's approval of the policies and procedures referenced in Items #2 and #3, the Corporation will adopt, implement and publish the revised policies and procedures. Publication will include written notice of the anti-harassment policy, including its formal and informal complaint procedures, to the Corporation community, including students, parents, administrators and staff. The Corporation will make this notification available through the Corporation's website, revised student handbooks, and any regularly issued newsletters (in print or online), as well as by any other additional means of notification the Corporation deems effective to ensure that the information is widely disseminated.

REPORTING REQUIREMENT: Within 30 days after the completion of Item #4, the Corporation will provide OCR with documentation that it has completed Item #4, including copies of the written notices to students, parents, administrators and staff regarding the revised policies and procedures and a description of how the notices were distributed, copies of its revised student handbooks, copies of the newsletters with the revised policies and procedures, a link to its webpage where the revised policies and procedures are located, and documentation of any other additional means of notification used by the Corporation.

**IMPLEMENTATION OF SEXUAL MISCONDUCT AND SEXUAL ASSAULT
POLICIES AND PROCEDURES**

5. By May 11, 2015, the Corporation will take the following actions to ensure that its written policies and procedures relating to sexual harassment are implemented in a manner that is prompt and effective:
 - a. The Corporation will promptly, as soon as practicable but always no later than one week of the report or complaint, interview the complainant and the accused, except in extraordinary circumstances or unless the investigator determines that the accused does not pose an immediate threat to the complainant or other students and the investigator determines that it is necessary to gather additional information prior to the interview.
 - b. Written investigative reports regarding any complaints or other reports of possible sexual harassment made to the Corporation will, at a minimum, include (a) the name and sex of the alleged victim and, if different, the name of the person reporting the allegation; (b) the nature of the allegation, a description of the incident(s), and the date(s) and time(s) (if known) of the alleged incident(s); (c) the date that the complaint or other report was made; (d) if the alleged victim was under 18 years of age, the date the parents of the alleged victim were notified of the allegation; (e) the date the accused was interviewed; (f) the names and sex of all persons alleged to have committed the alleged harassment, if known; (g) the names of all known witnesses to the alleged incident(s); (h) the dates that any relevant documentary evidence (including cell phone and other records as appropriate) was obtained; (i) any written statements of the complainant (or the victim, if different from the complainant), the accused, and any known witnesses and the dates those statements were obtained; (j) the outcome of the investigation and disciplinary process; (k) the applicable legal standards; and (l) the response of the Corporation, including any interim and permanent steps taken with respect to the complainant (or the victim, if different from the complainant) and the accused and steps taken to assure the complainant (or the victim, if different from the complainant) is not subjected to retaliation.
 - c. Upon receipt of a complaint or report of sexual harassment that may constitute criminal conduct, including any report of inappropriate touching of a student by an employee, the Corporation will immediately provide notice to relevant law enforcement officials, consistent with mandatory reporting requirements under state law. In such cases, the Corporation will provide to the complainant a written notice describing the options of pursuing a criminal complaint with a law enforcement agency, pursuing the Corporation's investigation and disciplinary process, or pursuing both options at the same time, and the potential consequences of pursuing both options (*i.e.*, possible deferral of the Corporation's investigation and disciplinary process). The Corporation will obtain a written acknowledgement from the complainant of which option(s) the complainant

wishes to pursue. When a complainant elects to pursue a criminal complaint exclusively, the Corporation will request that the local prosecutor's office immediately advise the Corporation of its decision on whether to prosecute the complaint. The Corporation will maintain documentation of the date of the deferral and request to the prosecutor's office. In cases where the prosecutor's office declines prosecution, the Corporation will provide written notice to the complainant of the decision of the prosecutor's office and resume its investigation and disciplinary process as appropriate. The Corporation will maintain documentation of the date that the process was resumed.

REPORTING REQUIREMENT: By June 30, 2015, June 30, 2016, and June 30, 2017, the Corporation will provide OCR with documentation that it has implemented the provisions of Item #5, including copies of all final reports in sexual harassment investigations from the most recently completed school year and all notices provided to law enforcement officials of possible criminal sexual conduct in the most recently completed school year.

TRAINING OF CORPORATION PERSONNEL AND STUDENTS

6. By July 31, 2015, the Corporation will provide all administrators, faculty, staff, including coaching staff who are not employed in other positions by the Corporation, employees, agents, security officers, and counselors with effective training on the Corporation's sexual harassment policies and procedures and retaliation. The training will review the Corporation's revised sexual harassment policies and procedures referenced in this Agreement, and include the following components at a minimum:
 - a. The Corporation will remind all staff of its commitment to having a school environment free from sexual harassment and explain what they should do if they believe students have been subjected to sexual harassment, including their duty to immediately report possible sexual harassment of which they have knowledge and possible discipline for failure to report.
 - b. The program will include a review of the Corporation's revised Title IX policies and procedures, including an explanation of what constitutes sexual harassment as well as disciplinary sanctions related to findings of violations of its sexual harassment policies and procedures and/or the policy prohibiting retaliation and intimidation.
 - c. The Corporation will provide a general overview of Title IX, including how the law's nondiscrimination provisions apply to students, the names and contact information for the designated staff member(s) to whom students or others may report allegations of sexual harassment, where to locate the Corporation's sexual harassment policies and procedures on the Corporation's website, and the existence of OCR and its authority to enforce Title IX.

- d. The Corporation will distribute written materials (during the program) that contain the information discussed.
- e. The training will also provide attendees with instruction on recognizing and appropriately addressing allegations of predatory behavior and complaints pursuant to Title IX.

By September 30 of each year during the monitoring of this Agreement, the Corporation will provide all new administrators, faculty, staff, including coaching staff who are not employed in other positions by the Corporation, employees, agents, security officers, and counselors with effective training on the Corporation's sexual harassment policies and procedures and retaliation that includes the components identified in Items 6a. – e. above.

REPORTING REQUIREMENT: By September 1, 2015, the Corporation will provide OCR with documentation that it has provided appropriate Corporation staff with the training referenced in Item #6, including the dates of the training, the names and titles of the trainer(s), a copy of any materials used or distributed during the training, and a sign-in sheet with the names and titles of the individuals who attended the training.

By October 15, 2016 and October 15, 2017, the Corporation will provide OCR with documentation that it has provided all new administrators, faculty, staff, including coaching staff who are not employed in other positions by the Corporation, employees, agents, security officers, and counselors with the training referenced in Item #6, including the dates of the training, the names and titles of the trainer(s), a copy of any materials used or distributed during the training, and a sign-in sheet with the names and titles of the individuals who attended the training.

7. By June 30, 2015, and by September 30 of each year during the monitoring of this Agreement for new staff, the Corporation will provide training to all School staff who are directly involved in processing, investigating and/or resolving complaints or other reports of sexual harassment complaints and to any counselors or other Corporation personnel who are likely to receive confidential reports of sexual harassment. The training will review the revised Corporation policies and procedures referenced in Items #2 and #3 of this Agreement and include instruction on how to conduct and document adequate, reliable, and impartial sexual harassment investigations, including the appropriate legal standards to apply in such investigations. The training will also provide attendees with instruction on recognizing and appropriately addressing allegations of predatory behavior and complaints pursuant to Title IX.

REPORTING REQUIREMENT: By July 31, 2015, and by October 15, 2016, and October 15, 2017 for new staff, the Corporation will provide OCR with documentation that it has provided appropriate Corporation staff with the training referenced in Item #7, including the dates of the training, the names and titles of the trainer(s), a copy of any materials used or distributed during the training, and a sign-in sheet with the names and titles of the Corporation staff who attended the training.

8. By October 30, 2015, and by October 30 of each year during the monitoring of this Agreement, the Corporation will provide an orientation program for all high school students, which will address harassment, including, but not limited to, sexual harassment and retaliation in order to promote respect and tolerance for others and to avert the establishment of a hostile environment based on sex for students enrolled in the Corporation. The Corporation will remind students of its commitment to having a school environment free from all harassment and explain to students what they should do if they believe they or other students are being harassed. The program will include a review of the Corporation's harassment and non retaliation policies and procedures, including an explanation of what sexual harassment is, as well as disciplinary sanctions related to findings of violations of its harassment policies and the policy prohibiting retaliation. The Corporation will also provide students with the name and contact information of a Corporation employee, such as a counselor, that the students may contact if they wish to confidentially discuss any concerns they have and remind students of the availability of counseling services. The Corporation will distribute written materials during the program that contain the information discussed. The training will provide attendees with instruction on recognizing and appropriately addressing allegations of predatory behavior and complaints pursuant to Title IX.

REPORTING REQUIREMENT: By November 30, 2015, November 30, 2016, and November 30, 2017, the Corporation will provide OCR with documentation of the implementation of Item #8, including the dates of the orientation, lists of the presenters, topics covered during the program and the amount of time spent on each topic, and copies of the materials used in the orientation.

9. By December 15, 2015, the Corporation shall assess the effectiveness of the training and orientation sessions referenced in Items #6 and #7 by conducting surveys of employees. The surveys shall specifically inquire about employees' knowledge of the applicable Corporation policies and shall solicit feedback as to whether survey takers believe the Corporation will respond to harassment complaints in a manner that is prompt, equitable, fair and effective.

By May 15, 2016 and May 15 of each year during the monitoring of this Agreement, the Corporation will provide additional training to all employees if the training provided was not effective or to capture any subsequent changes made in policies, procedures or practices.

REPORTING REQUIREMENT: By November 16, 2015, the Corporation will provide OCR the surveys it proposes to use to assess the effectiveness of the training. Upon approval of OCR, the Corporation will administer the surveys to all employees. By January 4, 2016, the Corporation will provide documentation to OCR of the results of the surveys and a description of any actions the Corporation proposes to take and has taken in response. By May 30, 2016 and May 30, 2017, the Corporation will provide documentation to OCR of any additional training employees received.

10. By December 15, 2015, the Corporation shall assess the effectiveness of the training and orientation sessions referenced in Item #8 by conducting surveys of students. The surveys shall specifically inquire about students' knowledge of the applicable Corporation policies and shall solicit feedback as to whether survey takers believe the Corporation will respond to harassment complaints in a manner that is prompt, equitable, fair and effective.

By May 15, 2016 and May 15 of each year during the monitoring of this Agreement, the Corporation will provide additional training to all students if the training provided was not effective or to capture any subsequent changes made in policies, procedures or practices.

REPORTING REQUIREMENT: By November 16, 2015, the Corporation will provide OCR the surveys it proposes to use to assess the effectiveness of the training. Upon approval of OCR, the Corporation will administer the surveys to all students. By January 4, 2016, the Corporation will provide documentation to OCR of the results of the surveys and a description of any actions the Corporation proposes to take and has taken in response. By May 30, 2016 and May 30, 2017, the Corporation will provide documentation to OCR of any additional training employees received.

DISCIPLINE OF CORPORATION PERSONNEL & STUDENT-FOCUSED REMEDIES

11. By June 15, 2015, consistent with its discipline procedures for employees, the Corporation will assess the extent to which personnel who had knowledge of reports of harassment of Student A failed to take action to report and/or investigate such harassment consistent with the requirements of the Corporation's Anti-Harassment Policy and will implement appropriate discipline.

REPORTING REQUIREMENT: By July 15, 2015, the Corporation will provide OCR with documentation that it has implemented Item #11, including a description of disciplinary actions taken, if any, and the basis for its decisions on the specific actions or inactions taken for each individual.

12. By July 1, 2015, the Corporation will establish a working group that includes Corporation administrators, faculty, parents, and high school students to make recommendations to the Corporation regarding the effectiveness of the Corporation's anti-harassment program for all students in the Corporation. The Corporation will designate an employee to coordinate the group's meetings and works. The working group will be asked to provide Corporation officials with input regarding strategies for preventing harassment, ensuring that Corporation students understand their right to be protected from discrimination on the basis of sex, including harassment, and to be protected from retaliation for reporting discrimination, and ensuring Corporation students understand how to report possible violations of the Corporation's anti-harassment policy and are aware of the Corporation's obligation to promptly and effectively respond to complaints alleging sex discrimination,

including harassment. The working group will also provide specific suggestions for developing an effective orientation program that promotes respect and tolerance for others and prevents the establishment of a hostile environment based on sex for students enrolled in the Corporation and encourages bystander intervention. The group will consider how and if outreach efforts to families can be made to garner support for the Corporation's anti-harassment program, and the role students should play in the orientation program. The designated employee will prepare a written summary of the steps the working group has recommended.

REPORTING REQUIREMENT: By July 15, 2015, the Corporation will provide OCR a list of individuals on the working group. By October 30, 2015, the Corporation will provide OCR with a copy of the working group's recommendations and a description of any steps that the Corporation has taken or will take in light of the recommendations. By June 30, 2016 and June 30, 2017, the Corporation will provide documentation of steps taken in the previous school year to implement the working group's recommendations.

13. By June 30, 2015, and by June 30, 2016, the Corporation will conduct a Corporation climate survey to assess the effectiveness of the steps taken pursuant to this Agreement and otherwise by the Corporation, to achieve its goal of having a school environment free of sexual harassment. The climate check will be completed by sending a survey to each Corporation parent and to each Corporation high school student that contains questions about the parent's and student's knowledge of sexual harassment and any experiences with sexual harassment while attending the Corporation, and the student's awareness of the Corporation's sexual harassment policies and procedures and resources available for students. Information gathered through these climate checks will be used to inform further steps taken by the Corporation. Finally, part of the Corporation's ongoing climate checks will include information for students about whom they can report concerns about sexual harassment to as described in other provisions of this Agreement.

REPORTING REQUIREMENT: By June 1, 2015, the Corporation will submit to OCR for approval the proposed climate survey. By July 31, 2015, and July 31, 2016, the Corporation will provide OCR the results of the most recent survey and a description of all actions the Corporation plans to take as a result.

14. By May 15, 2015, the Corporation will inform Student A, in writing, through her counsel, of the findings and outcome of any investigation(s) conducted by the Corporation into the reports of sexual harassment, provided, however, that Corporation will not waive any claimed attorney client privilege relative to such investigation(s). The Corporation will invite Student A to indicate within 15 days whether she claims any remedial actions as a result of the sexual harassment by a former Corporation volleyball coach, which may include payment for future counseling, reimbursement for previously received counseling, or other remedial actions as deemed appropriate. The Corporation will submit for OCR's approval the remedial actions it proposes to take and, upon approval of OCR, provide Student A written notice of its determination as to the necessity of remedial

actions. Student A's acceptance of the offer of remedial services that has been approved by OCR is not a condition to successful implementation of this paragraph.

REPORTING REQUIREMENT: By June 15, 2015 the Corporation will provide to OCR the remedial actions the Corporation proposes to take. Within 30 days of OCR's approval, the Corporation will document to OCR that it has contacted Student A's counsel to inform him of the remedial actions it will take within 30 days of such contact, assuming same is approved and/or accepted by Student A. By September 1, 2015, the Corporation will document that it has provided all remedial actions approved and/or accepted by Student A.

15. By July 15, 2015, the Corporation will complete an investigation of whether any of the 11 former students on the volleyball team identified to the Corporation by OCR were subjected to a hostile environment based on the conduct of the former Corporation volleyball coach or the Corporation's response to written or verbal complaints made regarding the coach's conduct. For each student for whom the Corporation determines that a hostile environment did not occur, the Corporation will provide the student(s) written notice of its determination and provide the opportunity to appeal the determination. For each student for whom the Corporation determines that a hostile environment did occur, the Corporation will assess whether the student requires any remedial actions as a result of a hostile environment, which may include payment for future counseling, reimbursement for previously received counseling, or other remedial actions as deemed appropriate by the Corporation. The Corporation will submit for OCR's approval the remedial actions it proposes to take and provide the student(s) and, upon approval of OCR, will provide the students written notice of its determination as to the necessity of remedial actions (if any). The individual student's acceptance of the offer of remedial services that has been approved by OCR is not a condition to successful implementation of this paragraph. If, during the pendency of OCR's monitoring of this Agreement, any additional individuals who were members of the volleyball team during the 2007 and 2008 seasons with Student A make a complaint to the Corporation that they were subjected to a hostile environment, the Corporation will implement the steps identified in this item for each of those students.

REPORTING REQUIREMENT: By July 31, 2015, the Corporation will provide OCR the remedial actions the Corporation proposes to take with regard to the specific students. The Corporation will document to OCR that it has contacted the students to inform them of the remedial actions it will take within 30 days of such contact, assuming same is approved and/or accepted by the student. By September 30, 2015, the Corporation will document that it has provided all remedial actions approved and/or accepted by the student(s).

16. By October 1, 2015, the Corporation will convene focus groups of male and female athletes to discuss whether sexual harassment continues to occur in the Corporation's athletic program. OCR will conduct the focus groups at a time mutually convenient time during fall 2015 and will notify the Corporation after the focus groups if additional

actions are required by the Corporation in response to information conveyed at the focus group meetings.

REPORTING REQUIREMENT: By January 11, 2016, the Corporation will document to OCR that it has taken all actions identified as necessary by OCR in response to information conveyed at the focus groups.

MAINTENANCE OF OTHER DATA

17. Effective immediately, the Corporation agrees to maintain documents relating to specific complaints or other reports of sexual harassment of students, including the following:
 - a. a copy of all written reports for complaints or any other reports of incidents involving allegations of sexual harassment of any kind;
 - b. a narrative of all actions taken in response to the reports by Corporation personnel, including any written documentation;
 - c. a copy of any and all disciplinary sanctions issued to students or employees for violations of the sexual harassment policies and procedures;
 - d. documentation demonstrating any interim and/or remedial efforts offered and provided to the complainant, the accused and/or witnesses of the incident(s), such as counseling or other appropriate services; and,
 - e. a narrative of all action taken to prevent recurrence of any harassing incident(s), including any written documentation.

REPORTING REQUIREMENT: By June 30, 2015, June 30, 2016, and June 30, 2017, the Corporation will provide to OCR copies of the documentation referenced in Item #17 for the preceding twelve months.

18. By July 31, 2015, the Corporation will develop a monitoring program to assess the effectiveness of its anti-harassment efforts. At the conclusion of the 2015-2016 academic year, the Corporation will conduct an assessment of the effectiveness of its anti-harassment efforts. Such assessment shall include:
 - a. consultation with the working group developed pursuant to Item #12 above;
 - b. student and parent surveys and/or public meetings to identify student and parent concerns;
 - c. review of all documentation collected pursuant to Item #17 above; and
 - d. evaluation and analysis of the data collected, including any proposed recommendations for improvement.

REPORTING REQUIREMENT: By July 31, 2016, the Corporation will provide documentation it has implemented the steps referenced in Item #18 for the most recently completed school year.

The Corporation understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the Corporation understands that, during the monitoring of this Agreement, the OCR may visit the Corporation, interview staff and students, and request such additional reports or data as are necessary for the OCR to determine whether the Corporation has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Title IX, at 34 C.F.R. §§106.8 and 106.31, which were at issue in this complaint.

The Corporation understands that the OCR will not close the monitoring of this Agreement until OCR determines that the Corporation has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Title IX, at 34 C.F.R. §§106.8(b) and 106.31(a), which were at issue in this complaint. Based on the terms and reporting requirements of this agreement, OCR anticipates closing its monitoring of this Agreement by December 31, 2017.

The Corporation 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 or judicial proceedings to enforce the specific terms and obligations of this Agreement, OCR shall give the Corporation written notice of the alleged breach and a minimum of sixty (60) days to cure the alleged breach.

Approved and agreed to on behalf of the LaPorte Community School Corporation.

/s/

Superintendent or designee

4-14-15

Date