

## **Resolution Agreement #05-15-5001 School City of Hammond**

The U.S. Department of Education, Office for Civil Rights (OCR) and School City of Hammond (District) enter into this Resolution Agreement (Agreement) to resolve this proactive compliance review #05-15-5001, which was initiated on December 18, 2014. 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, 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.

### **ANTI-HARASSMENT/ANTI-VIOLENCE STATEMENT**

- 1) By February 1, 2018, the District will develop and provide for OCR's review and approval a statement to all District students and employees that the District does not tolerate sex discrimination, including sexual harassment and sexual violence. The statement will define harassment on the basis of sex and will acknowledge that prohibited sexual harassment includes sexual violence and any other harassment based on sex. The statement will encourage any student who believes he or she has been subjected to sexual harassment, including sexual violence, to report the incident(s) to the District and note the District's commitment to conducting a prompt investigation, including the procedures under which students may file a complaint of harassment. The statement will identify the individual(s) responsible for investigating complaints of sexual harassment, including sexual violence, will designate reasonably prompt time frames for completion of the complaint process and will provide notice to the parties, will specify that appropriate disciplinary sanctions will be given to individuals who engage in sexual harassment, including sexual violence, and will 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 warn that students or employees who retaliate against individuals who report sexual harassment, including sexual violence, will be promptly disciplined. The statement will include identification of, and the office address, email address, and telephone number of, the individual designated as Title IX Coordinator under item #2 below. The statement will further state that inquiries concerning application of Title IX and its implementing regulation may be referred to the Title IX Coordinator or to OCR. Within 15 days of OCR's approval of the statement, the District will widely publish the statement, including by posting it on the District's website, publishing it in the student handbook, and posting it in all District buildings and by any other means of notification the District deems effective to ensure that the information is widely disseminated.

**REPORTING REQUIREMENT:** By February 1, 2018, the District will submit to OCR for its review and approval the statement it proposed to publish. Within 30 days of OCR's approval of the statement, the District will provide OCR with documentation that the statement referenced in this item has been widely published, including copies of emails, relevant pages of the District's website, copies of the student handbook, and documentation of the postings in the buildings.

## **TITLE IX COORDINATOR**

- 2) By February 1, 2018, the District will ensure that its Title IX Coordinator has received sufficient training to fulfill all responsibilities specified in this Agreement and has a line of reporting that provides for sufficient autonomy and authority to effectively execute these responsibilities. Specifically, the District will ensure that the Title IX Coordinator:
  - a) Has expert knowledge of the substantive requirements of Title IX and its implementing regulations applicable to elementary and secondary schools, of the District's Title IX grievance procedure(s), and how to analyze and document the available evidence to support reliable decisions, objectively evaluate the credibility of parties and witnesses, synthesize all available evidence, and take into account the unique and complex circumstances of each case under Title IX;
  - b) Oversees the District's prompt and equitable response to Title IX disclosures, verbal reports, and written complaints (collectively, "reports") made directly to the Title IX Coordinator or any other District personnel delegated the responsibility for receiving reports of sex discrimination, including sexual harassment and sexual violence, from any individual, including but not limited to students, employees, and third parties;
  - c) Ensures that neither the Title IX Coordinator, nor any individual designated by the District to assist the Title IX Coordinator, shall have other job responsibilities that create a conflict of interest with regard to their duties and responsibilities under Title IX;
  - d) Has access to all District records regarding reports of sex harassment and sexual violence, including any records by law enforcement school resource officers (SRO) germane to Title IX investigations;
  - e) Implements the District's policies and procedures prohibiting sexual violence and other forms of sexual harassment and assesses the overall efficacy of prevention, coordination, and response by the District to sexual harassment and sexual violence;
  - f) Coordinates with appropriate central office and school building administrators, counseling staff, SROs in the District, and any other District personnel or staff responsible for receiving student complaints to identify and address patterns or systemic problems under Title IX and to ensure coordination among these various offices and individuals;
  - g) Oversees the development, provision, and monitoring for effectiveness of training for:
    - (1) individuals involved in any stage of the grievance process on the substantive requirements of Title IX and how to investigate complaints under Title IX; and
    - (2) members of the District community (i.e., administrators, staff, students, parents/guardians, police officers, coaches, volunteers, etc.) regarding their Title IX rights and responsibilities.
  - h) Coordinates the development and implementation of annual assessments (i.e. surveys, focus groups or other types of actions to gather information) of campus climate with regard to sexual violence and other forms of sexual harassment; and
  - i) Ensures that students who file Title IX complaints are advised of:
    - (1) The right to proceed with criminal charges, a Title IX investigation, or both simultaneously;
    - (2) the limitations of confidentiality on the District's ability to respond; and

- (3) the availability of appropriate, individualized remedies (including interim measures, as necessary).

Upon confirmation from OCR that the Title IX Coordinator has received sufficient training to meet the terms of this item, the District will notify all students and employees of the identity, address, telephone number, and email address of the individual the District has designated as its Title IX Coordinator. The District will add the Title IX Coordinator and the Title IX Coordinator's contact information to all relevant documents containing information about how to contact the Title IX Coordinator, including, but not limited to, any Title IX brochures and relevant policies and appropriate pages of the District's website.

**REPORTING REQUIREMENTS:** By February 15, 2018, the District will submit to OCR the name and credentials of the Title IX Coordinator and a description of the training that individual has received to carry out his or her duties and responsibilities under Title IX and this item. Within 10 calendar days of OCR's confirmation that the Title IX Coordinator fulfills the requirements of this item, the District will provide documentation to OCR that it has provided the required notice to students and employees. By March 31, 2018, and November 30, 2018, the District will submit to OCR a description of all ongoing training the Title IX Coordinator receives to ensure that individual continues to carry out his or her duties and responsibilities under the Agreement and Title IX.

### **REVIEW OF TITLE IX POLICIES AND PROCEDURES**

- 3) By January 15, 2018, the District will revise its policies and procedures for addressing sexual violence and other forms of sexual harassment so that they are consistent with Title IX requirements, and are internally consistent and do not contain conflicting or contradictory information, to ensure that the policies and procedures adequately address any incident of sexual violence or other forms of sexual harassment and provide for the prompt and equitable resolution of complaints alleging any form of sexual harassment. At a minimum, the District's revised policies and procedures will include the following:
  - a) a general notice of nondiscrimination consistent with the requirements of the Title IX regulation at 34 C.F.R. § 106.9 regarding notices of nondiscrimination that is included in each announcement, bulletin (including parent/student and employee handbooks), catalog, or application form that it makes available to applicants for admission and employment, students, parents, employees, and all unions or professional organizations holding collective bargaining or professional agreements with the District;
  - b) a clear and consistent explanation to students, parents, employees and third parties about how to file a complaint or otherwise report sexual violence and other forms of sexual harassment (formally or informally), as well as notification of the policy and procedure that shall be utilized for reports of sexual harassment and sexual violence, including the name, address, phone number, and email address for the District's Title IX Coordinator;

- c) consistent definitions of sexual harassment and examples of the type of conduct and behavior that is covered by the policy, including student-to-student and employee-to-student conduct, and identification of the kinds of activities and sites where prohibited conduct could occur;
- d) designated and reasonably prompt time frames for each major stage of the procedure;
- e) an equal opportunity for the parties to receive written notice in advance of any interview or hearing with sufficient time to prepare for meaningful participation, to access and review evidence, and present witnesses and other evidence;
- f) an equal opportunity for each party to receive notice of the outcome of the grievance process, including but not limited to the investigation and appeal phases;
- g) notice that the District will keep the complaint and investigation confidential to the greatest extent possible;
- h) an explanation of the availability of interim measures to either or both parties prior to an investigation or while an investigation is pending, including, as appropriate, no contact orders, academic adjustments, counseling, health services, escort services, and an assurance that the parties will not be required to arrange such services solely on their own;
- i) if the District offers an informal resolution process, a description of what the process entails and an assurance that it is prompt and equitable and a statement that either party has the right to end the informal process at any time and begin the formal stage of the complaint process;
- j) an assurance that the District will permit informal resolution, such as mediation, if it is appropriate and if all parties voluntarily agree after receiving a full disclosure of the allegations and their options for formal resolution;
- k) a prominent statement that the complainant has the option to pursue a criminal complaint with an appropriate law enforcement agency, to pursue a complaint of sexual violence or another form of sexual harassment under the District's complaint procedures, or to pursue both processes simultaneously;
- l) a statement that the District will take appropriate disciplinary action against students and District personnel who violate the District policies and procedures addressing sexual violence and other forms of sexual harassment, and examples of the range of possible disciplinary sanctions;
- m) an explicit prohibition against retaliation, which includes witness intimidation and interference, and a statement that reports of retaliation will be promptly

investigated by the District under processes and standards that meet Title IX requirements;

- n) a commitment to take prompt and effective steps reasonably calculated to end the harassment, eliminate any hostile environment if one has been created, prevent the harassment from recurring and, as appropriate, remedy its effects.
- o) a requirement that designated employee(s) at the District document all reports of incidents of sexual violence and other forms of sexual harassment, and that the District establish a protocol for recordkeeping of such incidents;
- p) an assurance that the District's primary concern is student safety and, to encourage reports of sexual violence and other forms of sexual harassment, that the District will not discipline a student who makes a good faith report of sexual violence or another form of sexual harassment;

**REPORTING REQUIREMENTS:** By January 15, 2018, the District will submit to OCR for its review and approval its revised policies and procedures referenced in this item.

#### **REVIEW OF STUDENT CODE OF CONDUCT AND DISCIPLINARY PROCEDURES**

- 4) By January 15, 2018, the District will examine the District's student code of conduct and disciplinary procedures at each District building to determine whether the current rules of behavior and offense categories appropriately and adequately address violations of the District's policies and procedures prohibiting sex discrimination, including sexual harassment and sexual violence, and will revise the code of conduct and disciplinary procedures to the extent necessary to ensure they contain such rules of behavior and offense categories and correlated consequences. The District will ensure that sexual violence and other forms of sexual harassment are specifically included as conduct violations under the student code of conduct.

**REPORTING REQUIREMENT:** By January 15, 2018, the District will submit to OCR for its review and approval its revised policies and procedures referenced in this item.

- 5) Within 60 calendar days of receipt of notice of OCR's approval of the policies and procedures referenced in items #3 and #4, the District 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, and the student code of conduct to the District community, including students, parents, administrators, SROs, faculty, and staff. The District will make this notification available through the District's website, revised student handbooks, and any other additional means of notification the District deems effective to ensure that the information is widely disseminated.

**REPORTING REQUIREMENT:** Within 30 days after the completion of this item, the District will provide OCR with documentation that it has completed this item, including copies of the written notices to students, parents/guardians, administrators, SROs, faculty,

and staff regarding the revised policies and procedures and a description of how the notices were distributed, copies of its revised student handbooks, 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 District.

### **TRAINING OF DISTRICT PERSONNEL**

- 6) By May 1, 2018, and by September 15 of each subsequent school year, the District will require all District administrators, teachers and relevant staff to complete effective training relating to the policies and procedures adopted pursuant to items #3 and #4. The training will encompass the following:
  - a) The District will remind all personnel of its commitment to having a District environment free from sexual violence and other forms of sexual harassment and explain what they should do if they believe students have been subjected to harassment or sexual violence, including their duty to immediately report all allegations of possible harassment, what should be included in a report and of the potential for discipline of employees who engage in sexual harassment or sexual violence or other forms of sexual harassment, or fail to report sexual harassment, sexual violence and other forms of sexual harassment.
  - b) The District will provide a general overview of Title IX, including how nondiscrimination provisions apply to students, the names and contact information for the designated employee(s) to whom students or others may report allegations of harassment, where to locate the District's harassment policies and procedures on the District's website, and the existence of OCR and its authority to enforce Title IX.
  - c) The District will explain its Title IX policies and procedures, what constitutes sexual violence and other forms of sexual harassment (including student-to-student and employee-to-student conduct), the role of the Title IX Coordinator, and disciplinary sanctions related to findings of violations of the District's harassment policies and procedures, including the District's policy prohibiting retaliation and intimidation.

**REPORTING REQUIREMENT:** By April 1, 2018, the District will submit training materials to OCR for its review. By May 15, 2018, September 14, 2018, and September 13, 2019, the District will provide OCR with documentation that it has provided the training referenced in this item, 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 list of District employees who successfully completed the training.

- 7) By May 1, 2018, and by September 15 of each subsequent school year, the District will provide effective training to all employees who are directly involved in receiving, processing, investigating and/or resolving complaints or other reports of sexual violence and other forms of sexual harassment, any counselors or other District personnel who are likely to receive confidential reports of sexual violence and other forms of sexual harassment, hearing officers handling discipline cases involving sexual violence and other forms of sexual harassment,

and SROs to ensure investigations proceed objectively and impartially. The training will review the District policies and procedures referenced in items #3 and #4 of this Agreement and include instructions on how to conduct and document adequate, reliable, and impartial investigations of sexual violence and other forms of sexual harassment, including how to: analyze and document the available evidence to support reliable decisions, objectively evaluate the credibility of parties and witnesses, synthesize all available evidence, and take into account the unique and complex circumstances of each case; the appropriate legal standards to apply in such investigations, confidentiality requirements, record retention requirements, the District's proactive efforts to prevent sexual violence and other forms of sexual harassment, available resources for the complainant and respondent, and Title IX prohibitions on retaliation.

**REPORTING REQUIREMENT:** By April 1, 2018, the District will submit training materials to OCR for its review. By May 1, 2018, September 14, 2018, and September 13, 2019, the District will provide OCR with documentation that it has provided appropriate District personnel with the training referenced in this item, 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 District personnel who attended the training.

### **STUDENT ORIENTATION & TRAINING**

- 8) Beginning with the spring semester of the 2017-2018 school year and by September 15 annually thereafter, the District will provide effective age-appropriate training for all students that includes the following components:
  - a) The District will remind students of its commitment to having a District environment free from all harassment and explain to students what they should do if they believe they or other students have been subjected to sexual harassment or sexual violence.
  - b) The programs will include an age-appropriate review of the District's sexual harassment policies and procedures and student code of conduct, including an explanation of what constitutes sexual harassment, examples of particular types of conduct that would constitute sexual harassment or sexual violence, bystander training, as well as disciplinary sanctions related to findings of violations of the District's harassment policies and procedures and/or the District's policy prohibiting retaliation and intimidation.
  - c) The programs will provide an introduction of the Title IX Coordinator, an explanation of his or her role, and provide the names and contact information for any other designated staff member(s) and alternate staff and/or counselors to whom students may report allegations of sexual harassment, the resources available to students who experienced sexual harassment or sexual violence, and will encourage students to report harassment they have experienced or observed.

**REPORTING REQUIREMENT:** By June 15, 2018, September 28, 2018, and September 30, 2019, the District will provide OCR with documentation that it has implemented this item, including copies of the orientation schedule, the names and titles of employees who presented on the required topics, and copies of any materials that were used or distributed regarding the required topics.

- 9) By April 15, 2018, the District’s Title IX Coordinator will work with District counseling offices to ensure that all of the counseling support services available to students are offered and provided consistent with the District’s Title IX policies and procedures.

**REPORTING REQUIREMENT:** By May 15, 2018, the District will submit to OCR documentation establishing that this item has been implemented.

### **WORKING GROUP**

- 10) By February 15, 2018, the District will establish a working group that includes District administrators, teachers, parents and students to make recommendations to the District regarding the effectiveness of the District’s anti-harassment program including the training programs described above for all students in the District. The District will designate an employee to coordinate the group’s meetings and work. The working group will be asked to provide District officials with input regarding strategies for preventing sexual violence and other forms of sexual harassment, ensuring that District students understand their right to be protected from discrimination on the basis of sex, including sexual violence and other forms of sexual harassment, and to be protected from retaliation for reporting discrimination, and ensuring District students understand how to report possible violations of the policy and are aware of the District’s obligation to promptly and effectively respond to complaints alleging sex discrimination, including sexual violence and other forms of sexual harassment, and identifying any barriers that exist to proceeding with the District’s formal grievance procedure. 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 District. The group will consider effective communication strategies, and the role students should play in the orientation and returning student programs. The designated employee will prepare a written summary of the steps the working group has recommended, which will be communicated to the District by April 15, 2018.

**REPORTING REQUIREMENT:** By February 1, 2018, the District will provide OCR a list of individuals in the working group. By May 15, 2018, the District will provide OCR with a copy of the working group’s recommendations and provide for OCR’s review and approval a description of any steps that the District has taken or will take in light of the recommendations. By June 30, 2019, the District will provide documentation of steps it proposes to take to implement the working group’s recommendations approved by OCR.

### **PEER LEADERSHIP**

- 11) By April 1, 2018, the District will ensure that all of its middle and high school have a peer leadership program addressing sexual harassment, including sexual violence, by the

beginning of the 2018-2019 school year. The peer leadership program should be designed to identify student leaders in each grade level and to establish a student-led anti-harassment group that leads team-building, anti-harassment activities during school periods, stands up against sexual harassment when they see it, assists targeted students who are struggling with sexual harassment, and makes videos, posters, and other displays to raise awareness. The District may tailor its peer leadership programs to the specific needs of each individual middle and high school, so long as every program has an anti-harassment component and bystander training. The District will designate an employee to coordinate the program meetings and work.

**REPORTING REQUIREMENT:** By June 29, 2018, the District will provide documentation showing implementation of item #11, including a description of each school’s program’s activities relating to this agreement, with the dates of the activities and description of the participants.

### **HARASSMENT HOT SPOTS**

12) At least once during spring semester 2018, and each semester of the 2018-2019 school year, the District will identify any “hot spots” where sexual harassment or sexual violence is likely to occur, including outdoor locations where students congregate (e.g., parking lots) and on school buses. The District shall seek and consider student input in identifying hot spots. Based on a review of the data gathered by the working group and the information identified regarding hot spots, the District will take appropriate corrective actions to prevent and address harassment or violence in the identified hot spots. The corrective actions may include, but are not limited to, training students to assist in monitoring hot spots, assigning staff to monitor hot spots, and/or adding additional cameras in certain school locations or on buses and monitoring those cameras. The District shall ensure that any person designated to monitor a harassment hot spot has attended trainings on the District’s sexual harassment policies and procedures. The District will ensure that those employees who begin employment after such annual training has occurred will work with the Title IX Coordinator to ensure each new employee designated to monitor a harassment hot spot receives training on the sexual harassment policies and procedures.

**REPORTING REQUIREMENT:** By July 16, 2018, November 15, 2018, and July 15, 2019, the District will provide to OCR documentation regarding its implementation of this item, including the location of the identified hot spots and a description of all steps that the District has taken or will take to prevent harassment or violence from occurring in these locations.

### **CLIMATE SURVEY AND ASSESSMENTS**

13) By May 1, 2018, and by the same date annually thereafter, the District, under the oversight of the Title IX Coordinator, will conduct a climate check or series of climate checks with students to assess the effectiveness of steps taken pursuant to this Agreement, or otherwise by the District, to achieve its goal of schools free of sexual violence and other forms of sexual harassment. The climate check will be completed in part by sending a survey to each

District middle school and high school student and the parent of each District elementary school student. The climate check will contain questions about the student's and parent's awareness of incidents of sex discrimination (including sexual violence and other forms of sexual harassment – personal or against third parties) and any experiences with sex discrimination while attending the District, any particular programs, activities, or geographical locations where the discrimination occurred, and the student's and parent's awareness of the District's Title IX policies and procedures. The ongoing climate checks will also include ensuring students and parents know to whom they can report concerns about sex discrimination, such as the Title IX Coordinator, as described in other provisions of this Agreement. The District will use the information gathered through the climate checks to determine if additional action and/or Title IX training for faculty, staff, and/or students is required to maintain an environment in each District program, activity, school, and department free from sex discrimination, including sexual violence and other forms of sexual harassment.

**REPORTING REQUIREMENT:** By March 1, 2019, the District will submit to OCR for approval the proposed climate check tools, including the climate survey and the protocol for administering the surveys and analyzing the results. Information gathered through the climate survey will be used to inform future proactive steps taken by the District to provide an environment that is safe and supportive to all students and in compliance with Title IX. By July 16, 2019, and July 15, 2020, the District will provide OCR the results of the climate check and access to the underlying data, and provide for OCR's review and approval a description of all actions the District plans to take as a result and verification that it has implemented the actions approved by OCR. The District will submit proposed future revisions to its climate survey tool(s) for OCR review and approval during the monitoring of the Agreement.

#### **MEMORANDUM OF UNDERSTANDING (MOU)**

14) By May 1, 2018, the District will develop a Memorandum of Understanding (MOU) with the local police department regarding the presence of police in District schools and the handling and investigation of reports or complaints of sexual harassment and sexual violence. The MOU will make clear that a student or parent may pursue a criminal action with law enforcement and a sexual harassment complaint through the District at the same time regarding the same incident and that, where feasible and applicable, local police will assist the District in obtaining relevant evidence. The MOU will clearly outline how the relevant the local police and the District will coordinate in such cases.

In addition, the MOU will outline the steps District administrators, the Title IX Coordinator, and local police will take to promptly notify each other when they receive a complaint of sexual harassment, including sexual violence, and to what extent, if any, they will coordinate efforts on behalf of the District to promptly and equitably respond, as well as to accurately and thoroughly document those efforts, including all investigatory steps taken.

The District will develop a written protocol with local police that will specify when a complaint of sexual violence is received, the police will refer the complainant to the District's Title IX Coordinator.

**REPORTING REQUIREMENT:** By May 15, 2018, the District will provide OCR with a copy of its MOU and the written protocol with the local police department. By February 15, 2019, the District will submit to OCR documentation verifying that the MOU and protocol are being followed, including with respect to complaints of sexual harassment, including sexual violence, received by the local police.

### **TITLE IX RESPONSE TO PRIOR REPORTS**

15) By February 15, 2018, the Title IX Coordinator will post a statement on the District website detailing the ways in which the grievance process has been revised to meet the Title IX requirements for complainants and respondents. The statement will offer complainants and respondents who are no longer enrolled in the District an opportunity to share concerns regarding their experiences with the District response to reports of possible sexual harassment, including sexual assault. The statement will include identification of, and the office address, email address, and telephone number of the Title IX Coordinator. For any party that wishes to report additional allegations of possible sexual harassment, the District will determine whether it failed to promptly and equitably respond to the complaint and if so will offer appropriate services to the parties.

**REPORTING REQUIREMENT:** By January 15, 2018, the District will submit to OCR for its review and approval the statement it proposed to publish. Within 30 days of OCR's approval of the statement, the District will provide OCR with documentation that the statement referenced in this item has been widely published on the District's website. For any actions taken as a result of the concerns shared, by July 16, 2018, District will provide OCR with documentation of any action it has taken to address the reports and support for its determinations in that regard.

16) By April 1, 2018, the District will review the reports or complaints of sexual violence or any other form of sexual harassment committed against a student, including reports of possible sexual harassment that came to the attention of the District as a result of media coverage, since the 2012-2013 school year through the date of the Agreement to determine whether the District took steps to understand what occurred and responded appropriately. For complainants who are still enrolled in the District, the District will confirm with the Complainant that they still wish to have the District respond to their complaint. As appropriate, the District will initiate its investigative process, as revised under this Agreement, including providing interim measures for the student as necessary, providing a written determination of its findings to both parties whether sexual harassment or sexual violence occurred and whether a hostile environment was created, and determining whether and which remedies are appropriate for each complainant and any other student(s) who were also subjected to a hostile environment – including counseling services, determining the steps to be taken to prevent the recurrence of sexual harassment, and, as applicable, providing notice of appeal rights. The Title IX Coordinator will prepare a report for the District that

summarizes the information provided by each complainant and recommend steps for the District to take to address any problems identified in the manner in which these reports were handled, and ensure that complainants in the future are aware of their options and not discouraged from proceeding with the District’s grievance procedures.

**REPORTING REQUIREMENT:** By April 15, 2018, the District will provide a copy of the Title IX’s Coordinator’s report and, for OCR’s review and approval, the steps the District proposes to take in response, including any interim measures and remedies it proposes to take for specific students. Interim measures and remedies can include but are not limited to reimbursement for counseling or academic services (contingent on written, supportive documentation), offering of counseling or other appropriate services. By July 16, 2018, the District will provide documentation to OCR that it has implemented all steps approved by OCR including appropriate action to address any problem identified.

### **RECORD KEEPING AND MAINTENANCE OF RECORDS**

17) By January 15, 2018, the District will develop a record-keeping policy that requires preservation of documentation of the District’s responses to and investigations of reports and complaints of sex discrimination, including sexual harassment and sexual violence, and prohibits destruction of records of such reports and complaints for a minimum of three years. At a minimum, the District’s record-keeping policy shall commit the District to maintaining the following documents related to specific complaints or reports of sexual violence and other forms of sexual harassment of students:

- a) a copy of all written reports, and a narrative of all verbal reports, of incidents involving allegations of sexual violence and other forms of sexual harassment;
- b) a narrative of all actions taken by District personnel in response to the reports, including any written documentation;
- c) a copy of all disciplinary sanctions issued to students or employees for violations of the policies and procedures prohibiting sexual violence and other forms of sexual harassment;
- d) a copy of all written determinations or a description of all verbal notifications of determinations provided to the parties, with the date of each notification; and
- e) documentation fully detailing any interim measures offered and afforded to complainants pending the completion of an investigation, including copies of no contact orders issued to both parties, the dates issued and the date the parties acknowledged receipt, and, where sexual violence or another forms of sexual harassment is found to have occurred, documentation fully detailing all the steps, individual and systemic, the District took to stop the sexual violence or other sexual harassment, prevent its recurrence, eliminate any hostile environment, and remedy its discriminatory effects on the complainant and any others as appropriate.

**REPORTING REQUIREMENTS:** By January 15, 2018, the District will provide OCR the draft record-keeping policy. Within 30 days of OCR’s approval, the District will provide documentation to OCR that it has published and implemented the policy. By June 29, 2018, and June 28, 2019, the District will provide OCR a copy of all records related to all reports of sexual harassment and sexual violence the District received during the just completed school year.

The District understands that by signing this Agreement, it agrees to provide the foregoing 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, 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 and is in compliance with the regulations implementing Title IX, at 34 C.F.R. §§ 106.8, 106.9 and 106.31. 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 or judicial proceedings to enforce the specific terms and obligations of this Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

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

\_\_\_\_\_  
Superintendent or designee

\_\_\_\_\_  
Date