

## **Resolution Agreement (#05-17-1404)**

The U. S. Department of Education, Office for Civil Rights (OCR) and Brownsburg School Corporation (Corporation) enter into this agreement to resolve the above-referenced complaint. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the Corporation. Nothing contained in this Agreement shall be considered, construed as or used as an admission of wrongdoing, liability, statutory or regulatory violation, or any other illegal or improper act by the Corporation with regard to the allegations in these complaints. The Corporation 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. §§ 1681-1688, 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 from the U.S. Department of Education.

- 1) By March 15, 2019, the Corporation will publish a statement of non-discrimination that complies with Title IX. The statement will include identification of, and the office address, email address, and telephone number of, the individual designated as the Corporation's Title IX Coordinator and will include contact information for OCR. 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. The Corporation may implement this item by posting a statement on its website.

**REPORTING REQUIREMENT:** By March 22, 2019, the Corporation will submit to OCR documentation demonstrating its compliance with this item.

- 2) By March 22, 2019, the Corporation will provide the Corporation's Title IX Coordinator and personnel from XXX (School) who have Title IX responsibilities, including for receiving, processing, investigating, adjudicating, and/or resolving complaints of sexual harassment with training on Title IX and the Corporation's policies and procedures for responding to reports of sexual harassment.

**REPORTING REQUIREMENT:** By April 12, 2019, the Corporation will submit to OCR documentation demonstrating its compliance with this item, including copies of all training materials used or distributed, and attendance sheets for those attending the training(s).

- 3) By March 15, 2019, the Corporation will send letters via certified mail inviting the XXX students who were the subject of this complaint (XXX) and their parents to a meeting with the Title IX Coordinator and, as applicable, other Corporation or School administrators, at which the Corporation will provide the students an opportunity to share concerns regarding their experiences with the Corporation's handling of the report of sexual harassment in the XXX school year and to share any ongoing effects, if any, resulting from the Corporation's response, or lack of response, to their reports.

**REPORTING REQUIREMENT:** By April 12, 2019, the Corporation will provide documentation to OCR that it implemented the steps referenced by this item. If any of the students and parents decline the Corporation's offer to meet, the Corporation will provide

OCR a copy of the offer letter(s), certified mail delivery receipt(s), and, if applicable, any correspondence rejecting the Corporation's offer(s).

- 4) During the 2018-2019 school year, the Corporation will take all steps necessary to ensure that XXX, and any other students who the Corporation found to have been subjected to harassment by the same student (XXX) in XXX are not subjected to discrimination by XXX or anyone acting on his behalf, including harassment, on the basis of sex on Corporation property and in Corporation sponsored programs and activities. These steps will include, but are not limited to, identifying a specific contact person to whom XXX, and any other students who the Corporation found to have been subjected to harassment by XXX in XXX should report incidents of discrimination if they occur, and checking in with XXXXX, and any other students who the Corporation found to have been subjected to harassment by XXX in XXX on a periodic basis to ascertain whether any instances of discrimination have occurred and taking prompt and appropriate action if any discrimination has occurred.

**REPORTING REQUIREMENTS:** By March 15, 2019, and May 31, 2019, the Corporation will provide confirmation to OCR that it has implemented this item. In particular, the Corporation will identify the contact person for XXX, and any other students who the Corporation found to have been subjected to harassment by XXX in XXX, document the periodic check-ins and, if applicable, describe the steps the Corporation took in response to discrimination.

- 5) By March 22, 2019, the Corporation will develop a system to maintain documents relating to complaints or other reports of sexual harassment of students so the Corporation can track incidents and its responses.

**REPORTING REQUIREMENT:** By April 12, 2019, the Corporation will provide documentation it has developed the system to maintain documents referenced in this item. By July 1, 2019, the Corporation will provide to OCR copies of all complaints received by XXX School after March 22, 2019, under the system and the School's response to those complaints. By January 17, 2020, the Corporation will provide to OCR copies of all complaints received by XXX School for the first semester of the 2019-2020 school year and the School's response to those complaints.

The Corporation 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 the Agreement. Further, the Corporation understands that, during the monitoring of this Agreement, if necessary, 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. Upon the Corporation's satisfaction of the commitments made under this Agreement, OCR will close this case.

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 (34 C.F.R. §§ 100.9, 100.10) or

judicial proceedings to enforce the specific terms and obligations of this Agreement, OCR will give the Corporation 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 Corporation's representative below.

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

\_\_\_\_\_  
Date