



RESOLUTION AGREEMENT

Crossett School District
OCR Complaint No. 06131162

JURISDICTION

The U.S. Department of Education (Department), Office for Civil Rights (OCR), Dallas Office initiated an investigation of OCR complaint 06131162 (Complaint) pursuant to Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in any education program or activity receiving Federal financial assistance. Crossett School District (CSD or District) receives Federal financial assistance from the Department and is therefore subject to Title IX. Accordingly, to ensure compliance with Title IX pursuant to 34 C.F.R. § 106.41(c)(2) the provision of equipment and supplies; (3) scheduling of games and practice time; (7) provision of locker rooms, practice and competitive facilities; and (8) medical and training facilities and services, the CSD agreed to resolve the Complaint and issues of this investigation, as well as other compliance concerns identified by OCR, pursuant to Section 302 of OCR's Case Processing Manual, prior to OCR making a determination on this case. CSD voluntarily agrees to the terms of this Agreement and agrees to comply fully with its provisions. This Agreement does not relieve the District from fulfilling its other obligations under Title IX or resolve any other individual or class complaint against it.

The CSD agrees to take the following actions:

ACTION ITEMS AND REPORTING REQUIREMENTS

Action 1: Assessment of the CSD Interscholastic Athletics Program

The CSD agrees to provide equal athletic opportunities for CHS female and male students in its interscholastic athletics program with respect to the provision of equipment and supplies, the scheduling of games and practice time, the provision of locker rooms, practice and competitive facilities, and medical and training facilities and services, consistent with the requirements of Title IX implementing regulations at 34 C.F.R. § 106.41(c)(2,3,7,8), and applicable OCR policy.

1. By **February 7, 2018**, the CSD will complete a comprehensive assessment of its interscholastic athletics program. The assessment will be conducted under the general supervision of the Crossett High School (CHS) Athletics Department, with consideration given to input from student athletes and coaches, including an evaluation of the following four identified Title IX athletic component factors:

Provision of Equipment and Supplies

- a) Quality and suitability, condition, durability, regulation;
- b) Amount of equipment and supplies (i.e., too many, adequate, or too few).
- c) Maintenance and replacement of equipment, with special emphasis on access to laundry service for uniforms and equipment storage; and

- d) Availability of access to equipment and supplies to student athletes (e.g., always, not on Sundays, restricted to hours equipment rooms are open, etc.)

Scheduling of Games and Practice Time

- a) Number of competitive events per sport;
- b) Number and length of practice opportunities;
- c) Time of day competitive events are scheduled;
- d) Time of day practice opportunities are scheduled, and
- e) Opportunities to engage in available pre-season and post-season competition.

Provision of Locker Rooms, Practice and Competitive Facilities

- a) Quality and availability of the facilities provided for practice and competitive events for each athletic team;
- b) Exclusivity of use of facilities provided for practice and competitive events;
- c) Availability of locker rooms for each CHS athletic team;
- d) Quality of locker rooms for each CHS athletic team;
- e) Maintenance of practice and competitive facilities; and
- f) Preparation of facilities for practice and competitive events.

Provision of Medical and Training Facilities and Services

- a) availability of medical personnel and assistance;
- b) health, accident and injury insurance coverage;
- c) availability and quality of weight and training facilities;
- d) availability and quality of conditioning facilities; and
- e) availability and qualifications of athletic trainers.

The CSD will assess its compliance with the requirements of these four program components at the District's high school and then, with OCR's assistance, develop and implement a plan to resolve any identified disparities to ensure the provision of equal athletic opportunity to participants of both sexes in its interscholastic athletics program. The self-assessment will also take into account any existing or planned upgrades or improvements referenced in this Agreement and identify any additional changes or improvements that need to be made to its athletic program currently provided to the boys' and girls' high school interscholastic athletics teams to remedy any unjustified disparities on the basis of sex identified by the self-assessment.

Action I: Reporting Requirements

1. By **February 21, 2018**, the CSD will provide to OCR with a report on the District's completed assessment for the provision of equipment and supplies, scheduling of games and practice time, provision of locker rooms, and practice and competitive facilities, and medical and training facilities and services. The report will include: a description of the process followed in each area of assessment; a list of the individuals involved in the assessment process; a description of non-documentary information considered; a copy of any documents relied upon in the process; the results of the assessment; and a description of any plans to ensure that the District provides equivalent benefits and services in these four identified component areas. This report will include a written Action Plan to address any identified disparities and how the District will resolve these disparities.

2. By **March 28, 2018**, the CSD, upon receipt of OCR's approval of Item 1, the District will implement the Action Plan, completing any necessary changes to the provision of equipment and supplies, scheduling of games and practice time, provision of locker rooms, and practice and competitive facilities, and medical and training facilities and services as to remedy any unjustified disparities on the basis of sex. The CSD will submit a report to OCR with supporting documentation evidencing that the District took action to remedy any unjustified disparities.

Action II: Procedural Remedies

1. By **February 7, 2018**, the CSD will specifically develop and implement a written policy requiring the equitable provision and assignment of storage for equipment and supplies to CHS female sports in the same, equivalent manner as is provided to CHS male sports at CHS.
2. By **February 7, 2018**, the CSD will specifically develop and implement a written policy requiring the equitable provision of athletics period(s) and access to scheduled practice times for the turf room and weight room facilities for CHS female students in the same, equivalent manner as is provided to CHS male athletes at CHS.
3. By **February 7, 2018**, the CSD will develop and implement an action plan to ensure that female student athletes are provided with equivalent benefits and services in the provision of its softball program. The CSD will specifically ensure it has remedied any outstanding compliance concerns for the girls' softball field facilities, including the following identified equity issues:
 - a) lack of a press box, concession stand, bullpens, or comparable dugouts;
 - b) the lack of locker room facilities, or access to restrooms for student athletes;
 - c) condition and safety of the infield/outfield ground surface areas and fencing; and
 - d) lack of operable and/or regulation softball field lighting

If funding or other unforeseen obstacles arise preventing the District to complete upgrades to its softball field facilities, the CSD will develop an alternative plan to remedy any outstanding equity issues for the girls' softball field and the proposed time-lined solutions. The alternative plan will be subject to OCR's review and approval.

Action II: Reporting Requirements

1. By **February 21, 2018**, the CSD will submit to OCR a copy of its policies and procedures designed to ensure equivalent provision and access to storage, athletics period(s), and scheduled practice times for the turf room and weight room facilities for CHS female and male athletes, which are to be developed pursuant to Action Item II.
2. By **February 21, 2018**, the CSD will submit to OCR a copy of its action plan to ensure that female student athletes are provided with equivalent benefits and services in the provision of its softball program. The CSD will also submit a copy of its alternative plan to remedy any outstanding equity issues for the girls' softball field and the proposed time lined solutions for OCR's review and approval.

Action III: Demonstration of Future Compliance

If the CSD determines the District must make changes to ensure future compliance with Title IX as a result of the aforementioned assessments for Action Items I and II, then upon OCR’s review and approval, the CSD will implement the developed action plans to remedy the identified compliance concerns.

Action III: Reporting Requirements

1. By **September 28, 2018**, the CSD will provide OCR with a report for the 2017-2018 school year, on its progress in implementing the action plans. The CSD will include with this report copies of any documents, photographs, plans, invoices, or other material that evidences the CSD’s completion of Action Items I and II.
2. By **June 28, 2019**, the CSD will provide OCR with a final report for the 2018-2019 school year, of fulfilling the action plans. This final report will contain information that demonstrates that it is in compliance with the requirements of Title IX with regard to the equivalent provision of athletic benefits and services, including the specific actions the District has taken to remedy any outstanding equity issues for the girls’ softball field facilities. The CSD will include with this report copies of any documents, photographs, plans, invoices, or other material that evidences the CSD’s completion of Action Items I and II.

MONITORING: GENERAL PRINCIPLES

CSD 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, 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 and is in compliance with the regulation implementing Title IX, which was at issue in this complaint. Upon completion of the obligations under this Agreement, OCR shall close and dismiss 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.

This Agreement will become effective immediately upon the signature of the President or his designee below.

Mr. Gary Williams, Superintendent
Crossett School District

Date