

RESOLUTION AGREEMENT
Dallas Independent School District
Complaint Number 06-15-1216

OCR and the Dallas Independent School District (Dallas ISD, the District) enter into this agreement to resolve the allegation in the above-referenced complaints. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District. The District assures the U. S. Department of Education, Office for Civil Rights, (OCR), that it will take the following actions to comply with the requirements of Title IX of the Education Amendments of 1972, 20 U.S.C. § 1681, and its implementing regulation at 34 C.F.R. Part 106, which prohibit discrimination on the basis of gender by recipients of Federal financial assistance.

Prior to the completion of OCR's investigation, the District agreed to resolve the issues of this investigation pursuant to Section 302 of OCR's Case Processing Manual. Accordingly, to resolve the issues of this investigation, the District agrees to take the following actions.

SECTION I: SCHEDULING OF GAMES AND PRACTICE TIME

The Dallas ISD agrees to provide equal athletic opportunities to participants of both sexes in its interscholastic athletics program with respect to the scheduling of games and practice time, as required by Title IX and its implementing regulations at 34 C.F.R. § 106.41(c)(3), and OCR policy. In this regard, the Dallas ISD agrees to take the following actions:

1. Dallas ISD will complete a comprehensive assessment of the scheduling of games and practice time in its interscholastic athletics program at W.T. White High School (WTWHS) to ensure that male and female student athletes benefit from the scheduling of games and practice time in a manner that is equivalent or equivalent in effect ("Scheduling Assessment"). The Scheduling Assessment will include consideration of input from student athletes of both sexes and coaches. The assessment will be documented in a report and will include information about the Dallas ISD's athletics program as it existed during the 2017-2018 school year. The Scheduling Assessment will assess the following factors:
 - 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.

If Dallas ISD determines through its assessment that the male and female athletes at WTWHS are not receiving comparable benefits and opportunities with respect to the scheduling of games and practice times (including the use of Athletics class periods), Dallas ISD will also submit to OCR for its review and approval a plan to ensure that male and female student athletes are provided benefits and services with regard to the scheduling of games and practice times that are equivalent or equivalent in effect ("Scheduling Plan"). The plan will include a description of specific action steps, a timeline indicating when each action step will be completed, and any proposed revisions of policies, procedures, and practices needed to ensure the provision of equal athletic opportunity to participants of both sexes with

respect to the scheduling of games and practice time.

2. If Dallas ISD determines that male and female athletes at WTWHS are not receiving comparable benefits and opportunities as identified in Item 1. above, within 30 days following OCR's approval of its Scheduling Plan, the Dallas ISD will begin implementation of the plan.

REPORTING REQUIREMENTS

Reporting Requirement 1. Within 120 calendar days of the date of this Agreement, the Dallas ISD will submit to OCR for review and approval a report of its Scheduling Assessment ("Scheduling Assessment Report"). The Scheduling Assessment Report will conform to the requirements set forth in Section I(1), and include:

- a. A description of the process followed in each area of assessment;
- b. A list of the individuals involved in the assessment process;
- c. A description of non-documentary information considered;
- d. A copy of any documents relied upon and generated in the process;
- e. The results of the assessment

If Dallas ISD determines through its assessment that the male and female athletes at WTWHS are not receiving comparable benefits and opportunities with respect to the scheduling of games and practice times, then simultaneously with the submission of the Scheduling Assessment Report, Dallas ISD will submit its Scheduling Plan.

Reporting Requirement 2. If Dallas ISD determines through its assessment that the male and female athletes at WTWHS are not receiving comparable benefits and opportunities with respect to the scheduling of games and practice times, Within 120 days following OCR's approval of its Scheduling Plan, and by the same date thereafter on a yearly basis, the Dallas ISD will submit a report on its progress toward implementing the Scheduling Plan. The Dallas ISD will provide OCR with a final report no later than 2 years from the date of OCR's approval of the Scheduling Plan, containing 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. All implementation reports will include appropriate evidence to demonstrate that the Scheduling Plan is being implemented.

SECTION II: LOCKER ROOMS, PRACTICE FACILITIES AND COMPETITIVE FACILITIES

The Dallas ISD agrees to provide equal athletic opportunities to participants of both sexes in its interscholastic athletics program with respect to the provision of locker rooms, practice facilities and competitive facilities, as required by Title IX and its implementing regulations at 34 C.F.R. §

106.41(c)(3), and OCR policy. In this regard, the Dallas ISD agrees to take the following actions:

1. The Dallas ISD will conduct a comprehensive assessment of all locker rooms, practice facilities, and competitive facilities assigned to the boys' and girls' Dallas ISD athletic teams at W.T. White High School (WTWHS) to ensure that male and female student athletes benefit from locker rooms, practice and competitive facilities that are equivalent, or equivalent in effect ("Facilities Assessment"). The Facilities Assessment will assess the following factors:
 - a. The quality and availability of the facilities provided for practice and competitive events for each athletic team;
 - b. The exclusivity of use of facilities provided for practice and competitive events;
 - c. The availability of locker rooms for each WTWHS athletic team;
 - d. The quality of locker rooms for each WTWHS athletic team;
 - e. The maintenance of practice and competitive facilities; and
 - f. The preparation of facilities for practice and competitive events.

In assessing these factors, Dallas ISD will include, at a minimum: a list of all locker rooms, practice facility, and competitive facility; the age of each locker room, practice field, and competitive facility; measurements of the proximity of each locker rooms to each practice facility and competitive facility; the location of each practice facility and competitive facility, to include whether it is on or off-campus, and whether certain teams or programs have exclusive¹ use of the facility; a schedule showing when each locker room, practice and competitive facility is used by each team; an assessment of the quality and condition of each practice facility and competitive facility; a list of amenities for each locker room (including, but not limited to: showers, laundry service, available trainers, accommodations for visiting teams), and information about the exclusivity of use of each locker room; a list of amenities for each practice facility and competitive facility (including but not limited to: concession stands, public address systems, electronic scoreboards, seating at each field, the frequency and type of maintenance performed on each facility, pre-practice and pre-competition preparation of each facility); the self-assessment will also take into account any planned upgrades or improvements and identify and note any additional changes or improvements that need to be made to the locker rooms, practice or competitive facilities to remedy any disparities on the basis of sex identified by the self-assessment. The District will interview students and coaches of both sexes as part of this assessment.

If Dallas ISD determines that the boys' and the girls' athletic teams at WTWHS are not receiving comparable benefits and opportunities with respect to locker rooms, practice fields and facilities, and competitive fields and facilities, the Dallas ISD submit to OCR for its review and approval a plan to ensure that male and female student athletes are

¹ Exclusive use of a facility refers to exclusive use at the time of the practice session or competition. Thus, exclusivity of use will be affected only if other teams, physical education classes, intramural teams, or other groups use the facility at the same time as the team practice or competition. However, if many groups use a particular facility, it may affect the quality of the facility, or the necessary maintenance and preparation of the facility.

provided benefits and services with regard to the locker rooms, practice facilities, and competitive facilities that are equivalent or equivalent in effect (“Facilities Plan”). The plan will include a description of specific action steps, a timeline indicating when each action step will be completed, and any proposed revisions of policies, procedures, and practices needed to ensure the provision of equal athletic opportunity to participants of both sexes with respect to locker rooms, practice facilities, and competitive facilities.

2. If applicable, within 30 days following OCR’s approval of its Facilities Plan, the Dallas ISD will begin implementation of the plan.

REPORTING REQUIREMENTS

Reporting Requirement 3. Within 120 days of the date of this Agreement, the Dallas ISD will provide OCR with a report on its Facilities Assessment (“Facilities Assessment Report”). The report will conform to the requirements set forth in Section II(1), and include:

- a) A description of the process followed in each area of assessment;
- b) A list of the individuals involved in the assessment process;
- c) A description of non-documentary information considered;
- d) A copy of any documents relied upon and generated in the process;
- e) The results of the assessment.

If Dallas ISD determines through its assessment that the male and female athletes at WTWHS are not receiving comparable benefits and opportunities with respect to locker rooms, practice facilities, and competitive facilities, then simultaneously with the submission of the Facilities Assessment Report, Dallas ISD will submit its Facilities Plan.

Reporting Requirement 4. If Dallas ISD determines that the male and female athletes at WTWHS are not receiving comparable benefits and opportunities with respect to locker rooms, practice fields and facilities, and competitive fields and facilities, then, within 120 calendar days following recipient of OCR approval of the Facilities Plan, and by the same date thereafter on a yearly basis, the Dallas ISD will submit a report on its progress toward implementing the Facilities Plan. The Dallas ISD will provide OCR with a final report no later than 2 years from the date of OCR’s approval of the Facilities Plan, containing 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. Each report will include appropriate evidence to demonstrate that the plan is being implemented.

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, 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 Title IX and its implementing regulation at 34 C.F.R. Part 106. Upon completion of the obligations under this Agreement, OCR will 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 (34 C.F.R. §§ 100.8-100.10, incorporated by reference at 34 C.F.R. § 106.71), or judicial proceedings to enforce this Agreement, OCR will 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

Date

Approved as to Form by Dallas ISD:

Dallas ISD Legal Counsel Date