



RESOLUTION AGREEMENT

Amite County School District
OCR Case Number: 06-17-1399

A. GENERAL TERMS & PRINCIPLES:

The Amite County School District (District or recipient) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office. By this Agreement, the District commits to the following actions, consistent with the requirements of Title IX of the Education Amendments of 1972 (Title IX), as amended, 20 U.S.C. §§ 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106, to resolve the compliance concerns raised by the complainant's allegations.

The recipient hereby voluntarily commits to this Agreement.

B. ACTION ITEMS & REPORTING REQUIREMENTS:

INDIVIDUAL REMEDIES:

Action Item 1

- a. **Starting no later than the date of this Agreement**, the District will no longer prohibit the Student from XXXX with the male XXXX students or otherwise limit her ability to participate in XXXX due to her sex.
- b. **Within five (5) days of the date of this Agreement**, the District will notify the complainant via letter, sent by certified mail with return receipt requested, that the Student will no longer be prohibited from XXXX with the male XXXX students.

Reporting Requirements: Action Item 1

Within five (5) days of the date of this Agreement, the District will provide OCR with a copy of the letter to the complainant required by Action Item 1(b).

Action Item 2

- a. By **October 31, 2017**, the District will complete an investigation into the allegations of sexual harassment that the complainant reported. As part of the investigation, if the complainant makes herself and the Student available, the District will meet with and interview the Student and the complainant, provide them with the opportunity to identify alleged witnesses and any other information, and explain any interim measures the District will take to protect the Student pending the final outcome of its investigation. The District will interview any alleged witnesses they identify. If the District determines that the allegations are substantiated, in whole or in part, the District will take actions necessary to appropriately address the sexual harassment. In addition, the District will take steps to prevent any recurrence of the harassment and offer to remedy the effects of the sexual harassment toward the Student.

- b. By **November 7, 2017**, the District will provide written notice to the complainant of the outcome of its investigation, by certified mail with return receipt requested, and, if the District substantiates the harassment as a result of the investigation, the District will issue, by certified mail with return receipt requested, a written offer to the Student to provide counseling/academic/therapy services for the assessment and/or treatment of any psychological harm or any of the lingering effects from the harassment. The District's letter will inform the Student and the complainant that they have ten (10) calendar days from the date of the letter to accept the offer by providing written notice of their acceptance.

Reporting Requirements: Action Item 2

- a. By **October 23, 2017**, the District will provide OCR with a copy of its request(s) to meet with the complainant and Student and narrative describing the meeting that Action Item 2(a) requires, including a summary of the witnesses and other information that the complainant and Student provide and a description of the interim measures the District will take to protect the Student pending the final outcome of its investigation.
- b. By **November 7, 2017**, the District will provide documentation OCR indicating findings of the investigation required by Action Item 2(a) and all supporting documentation, including the following:
 - i. A detailed description of the investigation procedures that the District followed;
 - ii. A chronology of the steps taken to investigate the incident;
 - iii. The length of the investigative process;
 - iv. The names and titles of the individuals involved in handling the investigation;
 - v. All actions that the District took in response to the incident, including disciplinary action;
 - vi. All persons interviewed and copies of notes made or statements given;
 - vii. The final outcome of the investigation;
 - viii. Any written correspondence and/or a description of any verbal communication providing the results of the investigation; and
 - ix. If not otherwise provided in response to the above requests, copies of any and all documentation, including correspondence, email messages, memoranda, meeting notes, investigative documentation, documentation regarding disciplinary action, and similar documentation related to the incidents at issue in these complaints.
- c. By **November 7, 2017**, the District will provide OCR with a copy of the letter to the complainant required by Action Item 2(b).

POLICIES & PROCEDURES:

Action Item 3

- a. By **August 15, 2017**, the District will evaluate, review, and revise the District’s notice of nondiscrimination to ensure that it notifies applicants for admission and employment, students, employees, sources of referral of applicants for admission and employment, and all unions or professional organizations holding collective bargaining or professional agreements with the District that it does not discriminate on the basis of sex in its education programs or activities, and that it is required by Title IX not to discriminate in such a manner. Such notification shall state at least that the requirement not to discriminate in the education program or activity extends to employment. The notice must also state that questions regarding Title IX may be referred to the recipient’s Title IX Coordinator(s) or to OCR and include the name (or title, in printed materials), office address, telephone number, and email address of the Title IX Coordinator(s).
- b. By **September 15, 2017**, the District will adopt and implement the OCR-approved notice in its electronic and printed materials, including its website and any bulletins, announcements, publications (e.g., student and employee handbooks), catalogs, application forms, or recruitment materials distributed to the school community. For printed materials, inserts may be used pending reprinting.

Reporting Requirements: Action Item 3

- a. By **August 15, 2017**, the District will provide to OCR a copy of its revised notice of nondiscrimination for OCR’s *review and approval*.
- b. By **September 22, 2017**, the District will provide to OCR the following: (1) a link or links to the District’s website page(s) showing the location of the revised notice of nondiscrimination; and (2) a copy of all publications that include the revised notice of nondiscrimination.

Action Item 4

- a. By **August 15, 2017**, the District will evaluate and revise the District’s “Students Complaints of Sexual Discrimination/Harassment – Title IX Procedures,” any Title IX procedures included in the District’s handbook(s), and any other Title IX procedures so that the District’s grievance procedure provides for the prompt and equitable resolution of complaints alleging sex discrimination and that it includes, at a minimum, the following:
 - i. notice of the grievance procedures, including where complaints may be filed, that is easily understood, easily located, and widely distributed;
 - ii. application of the procedures to complaints alleging discrimination carried out by employees, other students, or third parties;
 - iii. provisions for adequate, reliable, and impartial investigation, including an equal opportunity to present witnesses and evidence;
 - iv. designated and reasonably prompt time frames for the major stages of the grievance process, as well as the process for extending timelines;
 - v. interim measures to protect the complainant as necessary, including interim steps before the final outcome of the District’s investigation necessary to prevent further discrimination against the allegedly affected student, as well as measures to prevent retaliation against the reporting student, pending resolution of the complaint;

- vi. provisions for maintaining confidentiality of the complainant and investigation of the complaint to the extent possible;
 - vii. if the procedures allow the parties access to information used at a hearing, the procedures must provide similar and timely access to both parties;
 - viii. if the procedures allow for an appeal of the District’s findings, the procedures must provide an equal opportunity to appeal for both parties, including notice to both parties of the appeal procedures;
 - ix. a definition of sexual harassment, including sexual violence, with examples;
 - x. notice to the complainant of the right to proceed with a criminal investigation and a Title IX complaint simultaneously;
 - xi. notice that the District will conduct its own investigation of any complaint or grievance under Title IX, independent of any law enforcement investigation regarding the same complaint or grievance;
 - xii. written notice of the District’s investigative determination issued to both parties;
 - xiii. assurance that, if discrimination, harassment, or retaliation has occurred, appropriate corrective and remedial actions will be taken as well as actions to prevent recurrence, with examples of the range of possible disciplinary sanctions, and to remedy the discriminatory effects on the complainant and others, if appropriate; and
 - xiv. a statement that Title IX prohibits retaliation against any individual who files a complaint under Title IX or participates in a complaint investigation.
- b. By **September 15, 2017**, the District will adopt and implement the OCR-approved policies (Approved Policies) in its electronic and printed materials. For printed materials, inserts may be used pending reprinting. The District will provide all administrators, faculty, staff, and parents/guardians with written notice regarding how to obtain a copy of the Approved Policies. The District, at a minimum, will make this notification through the District’s website, electronic mail messages to administrators, faculty, staff, and parents/guardians, and any regularly issued newsletters (in print or online), as well as any additional means of notification the District deems effective to ensure that the information is widely disseminated.

Reporting Requirement: Action Item 4

- a. By **August 15, 2017**, the District will provide to OCR a copy of its revised policies for OCR’s *review and approval*.
- b. By **September 22, 2017**, the District will provide to OCR the following: (1) a link or links to the District’s website page(s) showing the location of the Approved Policies; (2) a copy of the notification(s) that the District provided to parents/guardians and employees via electronic mail messages and any additional means concerning the publication of the Approved Policies; and (3) a copy of all policy manuals and student or employee handbooks that include the Approved Policies.

TRAINING & PROFESSIONAL DEVELOPMENT:

Action Item 5

- a. By **September 15, 2017**, the District will submit to OCR for *review and approval*, proposed training for its Superintendent, Title IX Coordinator(s), and any District officials, administrators, faculty, staff, and volunteers directly engaged in processing, investigating, resolving, and/or adjudicating complaints of sex discrimination (including different treatment, sexual harassment, and harassment based on non-conformance with gender stereotypes), and who will otherwise coordinate the District's Title IX compliance. *The training must be developed and presented by at least one qualified individual who is not a District employee or representative.* The training must cover, at a minimum, the following:
 - i. In-depth instruction on what type of conduct constitutes harassment, including addressing examples of harassment based on sex and nonconformance with gender stereotypes and a discussion about the negative impact that such harassment has on the educational environment;
 - ii. The responsibility of staff to report incidents of possible harassment based on sex and nonconformance with gender stereotypes, and the procedures for doing so, and instruction on how to recognize, prevent, and respond appropriately to such harassment;
 - iii. The District's responsibility under Title IX to address incidents of harassment based on sex and nonconformance with gender stereotypes about which it knows or reasonably should have known;
 - iv. Identification of the individual(s) designated as the District's Title IX Coordinator(s), and where individuals can find each Coordinator's address, phone number, and email address;
 - v. The District's responsibility to take immediate and appropriate action to investigate incidents of harassment based on sex and nonconformance with gender stereotypes;
 - vi. An outline of the Approved Policies and where individuals can find the Approved Policies;
 - vii. The policy prohibiting retaliation, including instruction regarding what type of conduct constitutes retaliation;
 - xv. How to conduct investigations concerning harassment based on sex and nonconformance with gender stereotypes in an adequate, reliable, and impartial manner, including the appropriate standards to apply in such investigations, an outline of the appropriate disciplinary measures for violations, and requirements for maintaining confidentiality of the complainant and investigation of the complaint to the extent possible;
 - viii. If an investigation reveals that discriminatory harassment has occurred, the District's responsibility to take prompt and effective steps reasonably calculated to end the harassment, eliminate any hostile environment and its effects, and prevent the harassment from recurring;
 - ix. The District's duty to respond to incidents of harassment based on sex and nonconformance with gender stereotypes even if the misconduct is also covered by an anti-bullying policy and regardless of whether the student or parent/guardian has complained, asked the school to take action, or identified the harassment as a form of discrimination; and
 - x. Distribution of written materials during the program that contain the information discussed.

- b. By **October 16, 2017**, at least one qualified individual who is not a District employee or representative will provide the OCR-approved training described in Action Item 5(a) to its Superintendent, Title IX Coordinator(s), and any District officials, administrators, faculty, staff, and volunteers directly engaged in processing, investigation, resolving, and/or adjudicating complaints of sex-based discrimination and who will otherwise coordinate the District's Title IX compliance.

Reporting Requirement: Action Item 5

- a. By **September 15, 2017**, the District will provide OCR the proposed training materials to be used and distributed during the training described in Action Item 5, including any speaker's notes, handouts, and the name, title, contact information, and qualifications of the trainer(s).
- b. By **October 23, 2017**, the District will provide to OCR documentation demonstrating that the Superintendent, Title IX Coordinator(s), and appropriate District officials, administrators, faculty, staff, and volunteers have received the training referenced in Action Item 5, including the date(s) of the training, the names, titles, contact information, and qualifications of the trainer(s), a copy of any materials used and distributed during the training, and a sign-in sheet with the names and titles of individuals who attended the training.

Action Item 6

- a. By **September 15, 2017**, the District will submit to OCR for *review and approval* proposed training for all Amite County High School (ACHS) administrators, faculty, and staff addressing harassment, including but not limited to, sexual harassment and harassment based on non-conformance with gender stereotypes, in order to promote respect and tolerance for others and to avert the establishment of a hostile environment based on sex for students enrolled at ACHS. Individuals who attend the training set forth in Action Item 5 do not need to attend the training set forth in Action Item 6. This training may be provided either as an independent meeting or as part of ACHS's current training programs (e.g., in-service). *The training must be developed and presented by at least one qualified individual who is not a District employee or representative.* The training must cover, at a minimum, the following:
 - i. Instruction on what type of conduct constitutes harassment, including addressing examples of harassment based on sex and nonconformance with gender stereotypes and a discussion about the negative impact that such harassment has on the educational environment;
 - ii. The responsibility of staff to report incidents of possible harassment based on sex and nonconformance with gender stereotypes, and the procedures for doing so, and instruction on how to recognize, prevent, and respond appropriately to such harassment;
 - iii. The District's responsibility under Title IX to address incidents of harassment based on sex and nonconformance with gender stereotypes about which it knows or reasonably should have known;

- iv. Identification of the individual(s) designated as the District’s Title IX Coordinator(s), and where individuals can find each Coordinator’s address, phone number, and email address;
 - v. The District’s responsibility to take immediate and appropriate action to investigate incidents of harassment based on sex and nonconformance with gender stereotypes;
 - vi. An outline of the Approved Policies and where individuals can find the Approved Policies;
 - vii. The policy prohibiting retaliation, including instruction regarding what type of conduct constitutes retaliation; and
 - viii. Distribution of written materials during the program that contain the information discussed.
- b. By **October 16, 2017**, at least one qualified individual who is not a District employee or representative will provide the OCR-approved training described in Action Item 6(a) to all ACHS administrators, faculty, and staff.

Reporting Requirement: Action Item 6

- a. By **September 15, 2017**, the District will provide OCR the proposed training materials to be used and distributed during the training described in Action Item 6, including any speaker’s notes, handouts, and the name, title, contact information, and qualifications of the trainer(s).
- b. By **October 23, 2017**, the District will provide to OCR documentation demonstrating that all ACHS administrators, faculty, and staff have received the training referenced in Action Item 6, including the date(s) of the training, the names, titles, contact information, and qualifications of the trainer(s), a copy of any materials used and distributed during the training, and a sign-in sheet with the names and titles of individuals who attended the training.

Action Item 7

- a. By **September 15, 2017**, the District will submit to OCR *for review and approval* proposed training for all Amite County High School (ACHS) students addressing harassment, including but not limited to, sexual harassment and harassment based on non-conformance with gender stereotypes, in order to promote respect and tolerance for others and to avert the establishment of a hostile environment based on sex for students enrolled at ACHS. This training may be provided as an independent assembly, class presentation, or as part of ACHS’s current curriculum/enrichment programs or lessons (e.g., student orientation). *The training must be developed and presented by at least one qualified individual who is not a District employee or representative.* The training must cover, at a minimum, the following:
 - i. A reminder of the District’s commitment to having a school environment free from all harassment and an explanation regarding what students should do if they believe they or other students are being harassed;

- ii. A review of the District’s harassment policies and procedures (i.e., the Approved Policies), 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;
 - iii. The name and contact information of a District employee, such as a counselor, who the students may contact if they wish to confidentially discuss any concerns they have; and
 - iv. Distribution of written materials during the program that contain the information discussed.
- b. By **October 16, 2017**, at least one qualified individual who is not a District employee or representative will provide the OCR-approved training described in Action Item 7(a) to all ACHS students.

Reporting Requirement: Action Item 7

- a. By **September 15, 2017**, the District will provide OCR the proposed training materials to be used and distributed during the training described in Action Item 7, including any speaker’s notes, handouts, and the name, title, contact information, and qualifications of the trainer(s).
- b. By **October 23, 2017**, the District will provide to OCR documentation demonstrating that ACHS students have received the training referenced in Action Item 7, including the dates of the training, the names, titles, contact information, and qualifications of the trainer(s), a copy of any materials used and distributed during the training, and a sign-in sheet with the names of individuals who attended the training.

ADDITIONAL DISTRICT-WIDE REMEDIES:

Action Item 8

By **June 8, 2018**, the District will gather narratives, or copies, of any written or oral complaints made by students, or on their behalf, regarding sexual harassment that occurred during the 2017-2018 school year. The District will maintain a copy of each investigative file that includes, at a minimum, the factual allegations, the investigative component, witness statements, findings, and actions taken to resolve and prevent the alleged sexual harassment.

Reporting Requirement: Action Item 8

By **June 8, 2018**, the District will forward to OCR a copy of all narratives and written complaints made by students, or on their behalf, regarding sexual harassment that occurred during the 2017-2018 school year. The District will also forward to OCR a copy of each 2017-2018 school year investigative file that includes, at a minimum, the factual allegations, the investigative component, witness statements, findings, and actions taken to resolve and prevent the alleged harassment.

C. EXECUTION:

The recipient understands that by signing the Agreement, it agrees to provide data and other information in a timely manner. Further, the recipient understands that, during the monitoring of the Agreement, OCR may visit the recipient, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the recipient has fulfilled the terms of the Agreement and is in compliance with the statute(s) and regulations that were at issue in this case.

The recipient understands that OCR will not close the monitoring of the Agreement until such time that OCR determines that the recipient has fulfilled the terms of the Agreement and is in compliance with the statute(s) and regulations that were at issue in this case.

The recipient understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR shall give the recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

On behalf of Amite County School District, I hereby agree to and voluntarily submit this Resolution Agreement to the U.S. Department of Education, Office for Civil Rights, Dallas Enforcement Office, and commit to the general terms, principles, action items, and reporting requirements contained herein.

Superintendent or Designee's Name

Superintendent or Designee's Signature
Amite County School District

Date