

## **RESOLUTION AGREEMENT**

Stilwell Public Schools

Docket # 07161035

The Stilwell Public Schools (District), Stilwell, Oklahoma, submits this Agreement to the U.S. Department of Education, Office for Civil Rights (OCR) to resolve OCR Docket No. 07161035. The District submits this Agreement to resolve this complaint that was filed under Title VI of the Civil Rights Act of 1964, 42 United States Code (U.S.C.) 2000d (Title VI), and Title VI's implementing regulation, 34 Code of Federal Regulations (C.F.R.) Part 10, which prohibit discrimination based on race, color, or national origin by a recipient of Federal financial assistance (FFA), and 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 on sex by a recipient of FFA. The District, as a recipient of FFA, is subject to the requirements of Title VI and Title IX.

The District is resolving this complaint during OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*.<sup>1</sup> Therefore, OCR has not made any findings of fact or law, or issued a final determination with respect to this complaint. The District agrees to take the following actions, but nothing contained in this Agreement shall be construed to constitute an admission on the part of the District to any of the allegations in this complaint:

### **REMOVAL OF REFERENCES TO PREGNANCY AND PARENTAGE**

1. The District will remove the provision in the cheer team constitution that prohibits students who are pregnant or who have a child from trying out or being members of the cheer team.

**REPORTING REQUIREMENT:** **Within 30 days** of the date of this Agreement, the District will provide OCR with a copy of the revised cheer team constitution, along with documentation evidencing dissemination of this change to all high school students and parents for OCR's review and approval.

### **SPORTS PARTICIPATION RULES**

2. The District will develop, and submit to OCR for its review and approval, a draft plan of action that identifies specific steps to ensure equal opportunity for membership and participation in the sports teams offered by the District. The plan will address all sports offered by the District that are governed by the Oklahoma Secondary Schools Athletic Association (OSSAA).

The draft action plan will include actions to address the following issues with regard to the District's sports' team rules:

- a. Inconsistency between sports regarding the severity of consequences a student-athlete receives for the same or similar infractions;

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<sup>1</sup> OCR's *Case Processing Manual* may be accessed at <http://www2.ed.gov/about/offices/list/ocr/docs/ocrcpm.html>.

- b. Inconsistency in the implementation of team rules by individual coaches and between coaches such that student-athletes participating in one sport may be penalized more severely than student-athletes participating in another sport; and
- c. Recordkeeping of individual students' infractions.

**REPORTING REQUIREMENT:** **By May 15, 2016**, the District will provide OCR with its draft action plan for OCR's review and approval. **Within 30 days** of OCR's final approval of the District's plan as set forth in Section 4 of this Agreement, the District will provide a report to OCR describing the specific steps and actions completed under its action plan. The District will provide any documentation requested by OCR, including but not limited to copies of revised rules (if applicable), infraction reports, etc.

### **TRAINING**

3. The District will provide training for all faculty, staff, and administrators regarding the changes to the District's sports participation rules and the District's policies and procedures prohibiting discrimination, harassment, and retaliation.

**REPORTING REQUIREMENT:** **By September 15, 2016**, the District will submit to OCR documentation that demonstrates completion of the training required in Section 5 of this Agreement. Such documentation should include the date(s) of the training session(s), an outline on the content of the training, the name and title of the trainer(s), and an attendance sheet signed by the participants providing their names, and work location.

### **INDIVIDUAL RELIEF**

4. X---paragraph redacted---X.

**REPORTING REQUIREMENT:** **Within 30 days** of the date of this Agreement, the District will submit documentation demonstrating satisfaction of this item for OCR's review and approval.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Title VI and Title IX, which were at issue in this case.

The District 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 this agreement and that all actions taken to comply with the requirements of the Agreement are subject to OCR's review and approval. 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 regulations implementing Title VI and Title IX.

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.

/s/ Geri Gilstrap  
Geri Gilstrap, Superintendent

5/2/2016  
Date