

**Resolution Agreement  
Académie Lafayette School  
OCR Complaint Number 07-16-1053**

U.S. Department of Education, Office for Civil Rights (OCR) and the Académie Lafayette School (the School) 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 School. The School assures OCR that it will take the following actions to comply with Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulation at 34 C.F.R. Part 106.

The School agreed to resolve these issues prior to the completion of OCR's investigation pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to resolve the issues of this investigation, the School agrees to take the following actions:

**A. Sexual Discrimination/Sexual Harassment Grievance Procedures**

1. By \_\_\_\_\_, the School will submit to OCR for its review and approval draft Title IX grievance procedures to address complaints of sex discrimination (including sexual harassment, sexual assault, and sexual violence), as required by Title IX's implementing regulation at 34 C.F.R. § 106.8(b). The School will ensure that these procedures provide for the prompt and equitable resolution of complaints alleging sex discrimination and will include, at a minimum, the following:
  - a. notice to students and employees of the grievance procedures, including where complaints may be filed;
  - b. application of the grievance procedures to complaints filed by students or on their behalf alleging discrimination or sexual harassment carried out by employees, other students, or third parties;
  - c. provisions for adequate, reliable, and impartial investigation of complaints, including the opportunity for both parties to present witnesses and evidence;
  - d. designated and reasonably prompt time frames for the major stages of the complaint process;
  - e. notice to the parties of the outcome of the complaint; and
  - f. an assurance that the School will take steps to prevent recurrence of any harassment and to correct its discriminatory effects on the complainant and others, if appropriate.

**REPORTING REQUIREMENT:** By \_\_\_\_\_, the School will submit to OCR for its review and approval its Title IX grievance procedures referenced above.

2. Within 45 calendar days of written notification from OCR that the revised grievance procedures are approved, the School will adopt, implement and publish the revised grievance procedures and will provide all students, parents/guardians and School employees with written notice regarding the revised grievance procedures for resolving Title IX complaints together with information on how to obtain a copy of the revised

procedures. The School will make this notification through the School’s website, electronic mail messages to employees and students, and any regularly issued newsletters (in print or online), as well as by any other additional means of notification the School deems effective to ensure that the information is widely disseminated.

**REPORTING REQUIREMENT:** Within 15 calendar days after the School adopts, implements and publishes the approved revised grievance procedures, the School will provide OCR with copies of the written notices issued to all students, parents/guardians and employees regarding the revised grievance procedures and a description of how the notices were distributed; copies of its revised student and employee handbooks; regularly issued newsletters (in print or online) and a link to its webpage where the revised grievance procedures is located.

**B. Notice of Nondiscrimination**

3. By \_\_\_\_\_, the School will submit to OCR for its review and approval its revised notice of nondiscrimination pursuant to 34 C.F.R. §106.9, which will notify students, parents/guardians, employees, and other relevant persons that it does not discriminate on the basis of sex in the education programs or activities that it operates and that it is required by Title IX not to discriminate in such a manner. The notice will state that inquiries concerning the application of Title IX should be referred to the Title IX Coordinator, and it shall include the name or title, office address, and telephone number for the School’s Title IX Coordinator. The School will publish this notice consistent with the requirements of Title IX at 34 C.F.R. §106.9.
4. Within 45 calendar days of written notification from OCR that the School’s notice of nondiscrimination complies with Title IX, the School will ensure that, to the extent required by Title IX at 34 C.F.R. §106.9, each of its electronic and printed publications of general distribution that provide information to employees and students about School services and policies containing the notice of nondiscrimination. Inserts may be used pending reprinting of these publications.

**REPORTING REQUIREMENT:** Within 60 calendar days after OCR’s approval of its notice of nondiscrimination referenced in action step #3, the School will provide OCR with documentation that it has implemented action step #4 above, for OCR’s review and approval, including links to and copies of its publications of general distribution that provide information to employees and students about School services and policies containing the notice of nondiscrimination, as well as any inserts that are being used pending reprinting of these publications.

**C. Title IX Coordinator**

5. By \_\_\_\_\_, the School will develop a job description for its Title IX Coordinator. The job description will set forth the responsibilities of the Title IX Coordinator to coordinate the School’s compliance with Title IX, including the School’s revised grievance procedures, and to oversee the School’s responses to all complaints involving

possible sex discrimination, including sexual harassment, which includes monitoring outcomes, identifying and addressing any patterns, and assessing effects on the student community. In addition, the Title IX Coordinator is responsible for developing and participating in activities designed to raise awareness within the School regarding sex discrimination, including sexual harassment. If the School opts to designate additional coordinators to assist the Title IX Coordinator, it will make clear the scope of each coordinator's duties and will ensure that the Title IX Coordinator has ultimate oversight responsibility over the other coordinators, which will be clearly stated in that coordinator's job description.

6. By \_\_\_\_\_, the School will ensure that it has designated one or more employees to coordinate the School's efforts to comply with Title IX and will publish this individual's name or title, office address, and telephone number consistent with the requirements of Title IX at 34 C.F.R. § 106.8(a). If the School opts to designate more than one such coordinator, its publications will make clear the scope of each coordinator's responsibilities (e.g., who will handle complaints by students and School employees), and will designate one coordinator, who will be titled "Title IX Coordinator" and who will have ultimate oversight responsibility over the other coordinators, whose titles will clearly indicate that they are in a deputy or supporting role to the Title IX Coordinator. Inserts may be used pending reprinting of the publications.

**REPORTING REQUIREMENT:** By \_\_\_\_\_, the School will provide OCR with the name/title of the person designated as the Title IX Coordinator, including the address and contact information and job description, in accordance with action steps #5 and #6. In addition, the School will provide OCR with documentation substantiating that it published this individual's name or title, office address, telephone number, and email address.

#### **D. Training for Title IX Coordinator and School Personnel**

7. By \_\_\_\_\_, the School will conduct training for its Title IX Coordinator, deputy coordinators (if any), and all School personnel who are directly involved in processing, investigating and/or resolving complaints of sex discrimination, including sexual harassment, or who otherwise address the School's compliance with Title IX. The training will cover the School's revised grievance procedure for Title IX complaints, and will provide attendees with instruction on preventing, recognizing and appropriately addressing allegations and complaints pursuant to Title IX, as well as sex discrimination, including sexual harassment/assault and violence, and the School's responsibilities under Title IX to address allegations of sexually inappropriate behaviors, whether or not the actions are potentially criminal in nature and to ensure that victims of sexual offenses that are criminal in nature are aware of the School's Title IX obligations and its Title IX grievance procedures. Additionally, the training will include instruction on how to conduct and document adequate, reliable, and impartial Title IX investigations, including the appropriate legal standards to apply in a Title IX investigation (which differ from a criminal investigation), and conducting interviews of victims of harassment in a fair, non-biased, and objective manner.

**REPORTING REQUIREMENT:** By \_\_\_\_\_, the School will provide OCR, for review and approval, with documentation that it has conducted the training of its Title IX Coordinator, any deputy coordinators, and all School personnel who require training, in accordance with action step #7, including the following information: the date the training was conducted; the name(s) of the individual(s) who conducted the training; copies of any written materials (i.e., slides, handouts) used or distributed during the training; and a list of all School staff who attended the training.

8. By \_\_\_\_\_, the School will revise its existing sexual harassment training or develop a new Title IX training program for all School employees. The training will provide essential guidance and instruction on preventing, recognizing and appropriately responding to allegations and complaints of sex discrimination, including sexual harassment and an understanding of the School’s responsibilities under Title IX to address allegations of sexual harassment. In addition, the training will cover the School’s revised grievance procedure for Title IX complaints.

**REPORTING REQUIREMENT:** By \_\_\_\_\_, the School will provide OCR with a copy of its proposed sexual harassment training for review and approval. Within 90 days of OCR’s approval, the School will provide OCR with documentation demonstrating that the sexual harassment training was conducted in accordance with action step #8, including the following information: the date the training was conducted; the name(s) of the individual(s) who conducted the training; copies of any written materials (i.e., slides, handouts) used or distributed during the training; and a list of all School staff who attended the training.

The School understands that by signing the Agreement, it agrees to provide data and other information in a timely manner. Further, the School understands that, during the monitoring of the Agreement, OCR may visit the School, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the School has fulfilled the terms of the Agreement and is in compliance with the regulations implementing Title IX at 34 C.F.R. §§106.8(a), 106.8(b), 106.9, and 106.31, Section 504 at 34 C.F.R. §§104.4(a), and Title II at 28 C.F.R. §§ C.F.R. §§35.130(a), 35.130(b)(1)(ii), and 35.130(b)(1)(iii) which were at issue in this case. Upon completion of the obligations under this Agreement, OCR shall close this case.

The School understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings, including 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, including to enforce the Agreement, OCR shall give the School written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

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Superintendent or Designee

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Date