

RESOLUTION AGREEMENT

Albany County School District #1 (Laramie, Wyoming) OCR Case No. 08-16-2135

In order to resolve the open allegations in Case No. 08-16-2135, filed against Albany County School District #1 (District) and opened for investigation by the U.S. Department of Education, Office for Civil Rights (OCR) pursuant to Title IX of the Education Amendments of 1972 and its implementing regulation at 34 C.F.R. Part 106, the District agrees to take the actions outlined in this Resolution Agreement. The District's decision to enter into this agreement is not an admission of liability or wrongdoing, nor shall it be construed as such.

1. The District will revise its notice of nondiscrimination in accordance with 34 C.F.R. § 106.9. The revised notice of nondiscrimination will include effective notice of the (1) District's Title IX Coordinator, including at a minimum the coordinator's name, title, office address, telephone number, and email address and (2) OCR, including at a minimum, OCR's office address, telephone number, and email address. Additional guidance on notices of nondiscrimination can be found at <http://www2.ed.gov/about/offices/list/ocr/docs/nondisc.html>.

REPORTING REQUIREMENT A: By September 15, 2017, the District will provide OCR, for OCR'S approval, a copy of the revised notice of nondiscrimination. The District will fully and promptly address any comments by OCR and will continue to modify its revised notice of nondiscrimination until it receives OCR approval.

REPORTING REQUIREMENT B: Within thirty (30) calendar days of OCR's approval, the District will present the notice of nondiscrimination to the Board of Trustees for consideration pursuant to the Wyoming Rules of Administrative Procedure. It is understood that the Board of Trustees is required by law to provide notice of the proposed notice of nondiscrimination for forty-five (45) days, which equates to three (3) Board meetings over a period of three (3) months.

Upon approval by the Board of Trustees, the District shall provide OCR (1) a copy of the notice as officially adopted and published, and (2) documentation of its actions to publish the notice, including but not limited to in all student handbooks used by the District¹ and on its website.

2. The District will notify students, parents and guardians, and staff of its revised Policy 4020, Sexual Harassment and Discrimination of Students.

REPORTING REQUIREMENT A: By October 15, 2017, the District will provide OCR, for OCR's approval, documentation of its actions to notify students, parents and

¹ Such handbooks will include, but may not be limited to, the ACSD#1 Elementary District Handbook, Laramie High School Student Handbook, Laramie Junior High School Student Handbook, UW Lab School Handbook, Rock River Elementary/Secondary School Student Handbook, and Whiting Alternative School Student Handbook.

guardians, and staff of the revised policy, including but not limited to (1) all actions taken pursuant to the “Notice” section of Policy 4020 itself, (2) by emailing notice of the revised policies and procedures to all students, parents and guardians, and (3) all notifications contained in all student handbooks and on the District’s website.

3. The District will revise its disciplinary policies and procedures, including but not limited to those provided in staff manuals and student handbooks², to provide a uniform definition of sexual harassment that aligns with the District’s definition in its Policy 4020, Sexual Harassment and Discrimination of Students.

REPORTING REQUIREMENT A: By October 15, 2017, the District will provide OCR, for OCR’S approval, its revised policies and procedures. The District will fully and promptly address any comments by OCR and will continue to modify its revised policies and procedures until it receives OCR approval.

REPORTING REQUIREMENT B: Within thirty (30) calendar days of OCR’s approval, the District will adopt, implement, and publish the revised policies and procedures and provide OCR (1) a copy of the revised policies and procedures in every place published, and (2) documentation of its actions to publish the revised policies and procedures, including but not limited to in all student handbooks used by the District, on the District’s website, and by emailing notice of the revised policies and procedures to all students, parents and guardians.

4. The District will train its entire staff on the following topics:
 - a. Policy 4020, Sexual Harassment and Discrimination of Students, including but not limited to:
 - i. The definition of “School” and the requirement to “consider the effect of off-campus conduct when evaluating whether there is a hostile environment on campus”;
 - ii. The provision that “[a] criminal investigation into allegations of sexual harassment or sexual violence does not relieve the District of its legal obligation to proceed under this policy” and on what to do in cases that overlap with a criminal investigation;
 - iii. Available interim measures and the types of considerations that factor into determining interim measures in individual cases;
 - iv. The requirement to comply with Wyoming mandatory reporting law;
 - b. What to do in response to incidents of alleged discrimination, harassment, bullying, or violence based on sex;
 - c. The District’s categories of disciplinary consequences and their appropriate uses, including but not limited to what types of behaviors should be categorized as “sexual harassment,” “sexual offenses,” “bullying,” “cyberbullying,” “minor offenses,” “other major offenses,”

² Such manuals and handbooks will include, but may not be limited to, the UW Lab School Positive Behavior Interventions & Support (PBIS) Staff Manual, UW Lab School Handbook, ACSD#1 Elementary District Handbook, Laramie High School Student Handbook, Laramie Junior High School Student Handbook, Rock River Elementary/Secondary School Student Handbook, and Whiting Alternative School Student Handbook.

“threat/intimidation,” “disorderly conduct,” and “harassment, non sexual.”

REPORTING REQUIREMENT A: Within 90 days of this Agreement, the District will provide OCR, for OCR’s approval, its draft training materials; identify who will be providing the training, by name, title, and qualifications; and provide a list of personnel required to participate in the training, by name and title. The District will fully and promptly address any comments by OCR and will continue to modify the materials, trainers, or personnel list until it receives final OCR approval. The OCR will provide technical assistance as needed to comply with this requirement.

REPORTING REQUIREMENT B: Within 60 days of OCR’s approval, the District will provide documentation demonstrating that the training was provided and a copy of the training sign-in sheets.

5. The District will promptly and equitably respond to all future incidents of alleged discrimination, harassment, bullying, or violence based on sex against students by fellow students, staff, or third parties.

REPORTING REQUIREMENT: By December 31, 2017 and May 31, 2018, the District will provide OCR, for OCR’S approval, a list or table (preferably in Excel format) of all incidents of alleged discrimination, harassment, bullying, or violence based on sex against students by fellow students, staff, or third parties during the relevant reporting period, which includes: the name(s) of all student(s) involved, the date of the incident, the nature of the incident, and an explanation of the District’s response. The District will also provide OCR, for OCR’s approval, all documents relating to all incidents. Such documents,³ and the list or table, should include, but not be limited to, the following:

- a. All reports under Policy 4020, Sexual Harassment and Discrimination of Students;
- b. All reports under Policy 4021, Prohibiting Harassment, Intimidation, and Bullying, relating to alleged discrimination, harassment, bullying, or violence based on sex;
- c. All incidents that included disciplinary consequences coded as “sexual harassment” or “sexual offenses” for any student involved;
- d. All incidents of alleged discrimination, harassment, bullying, or violence based on sex that included disciplinary consequences coded as “bullying,” “cyberbullying,” “minor offenses,” “other major offenses,” “threat/intimidation,” “disorderly conduct,” “harassment, non sexual” for any student involved;
- e. All incidents of alleged discrimination, harassment, bullying, or violence based on sex that included referrals to, or other communications with, law enforcement; and

³ “Documents” as used in this Data Request includes but is not limited to all handwritten, typewritten, printed, or recorded material, including emails; letter; correspondence; memoranda; witness statements; notes or other records of conversations, phone calls, interviews, Google hangouts, or other meetings; reports; notes; summaries; interoffice and intraoffice communications; pictures; audio, video, or other recordings; and text messages.

- f. All incidents of alleged discrimination, harassment, bullying, or violence based on sex logged at the school level and not included elsewhere.

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. Further, the District understands that during the monitoring of this Agreement, 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 Title IX, which was at issue in this case.

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 Title IX, which was at issue in 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. §§ 100.9, 100.10), or judicial proceedings to enforce the Agreement, OCR shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

/s/

8/31/17

For Albany County School District #1
Name:
Title:

Date