

Resolution Agreement
Adams County School District 12 and Stargate School
OCR Case Number 08-17-1374

Adams County School District 12 (District) and Stargate School (School) enter into this Agreement to resolve the allegation in the above-referenced complaint. This Agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the District or the School (collectively, “Recipients”). The Recipients assure OCR that they will take the following actions to comply with the requirements of Title IX of the Education Amendments of 1972 (“Title IX”), 20 United States Code (U.S.C.) Section 1681, and its implementation regulations, at 34 Code of Federal Regulations (C.F.R.) Part 106.

1. The School will create or revise a written procedure through which complaints of sex discrimination may be filed, which will include, at a minimum:
 - a. an explanation (1) that discrimination includes harassment and (2) what sexual harassment is, including a definition of a hostile environment and examples of sexual harassment;
 - b. notice of the procedure, including where to file complaints;
 - c. application of the procedure to complaints alleging discrimination by staff, other students, or third parties;
 - d. a statement that the School is responsible for determining whether a hostile environment on the basis of sex exists regardless of whether a formal complaint is filed, provided the School knows or should have known of the underlying behavior;
 - e. written acknowledgment of complaints;
 - f. adequate, reliable, and impartial investigation of complaints, including the opportunity to present witnesses and other evidence;
 - g. provisions for a prompt investigation of complaints, including designated and reasonably prompt timeframes for major stages of the complaint process;
 - h. written notice to the parties of the outcome of the complaint;
 - i. provisions for a response that is reasonably calculated to end any harassment, remedy its effects, and prevent recurrence, including discipline, where appropriate, of any staff or students found to have engaged in harassment;
 - j. adequate record-keeping, including a reference to, including as an appendix, the Title IX Complaint Form, developed pursuant to Term III of the Resolution Agreement in OCR Case No. 08-17-1353;
 - k. effective notice of the School’s Title IX Coordinator designated pursuant to Term 1 of the Resolution Agreement in OCR Case No. 08-17-1353;
 - l. an explanation that all staff are responsible employees obligated to report alleged sexual harassment to appropriate school officials, including the Title IX Coordinator; and
 - m. that the District will be notified of any complaints filed pursuant to the School’s procedure.

REPORTING REQUIREMENT A: By January 31, 2018, the School will submit, for OCR review and approval, its draft procedure. The School will fully and promptly

address any comments by OCR as to the procedure and will continue to modify the procedure until it receives final OCR approval.

REPORTING REQUIREMENT B: Within 15 days of OCR's approval of the procedure, the School will disseminate the procedure to students, parents, and staff in English and in Spanish. Within 30 days of OCR's approval of the procedure, the School will provide OCR documentation of its efforts to disseminate the procedure, including via email; any websites used to disseminate information to students, parents, or staff; and the School's *Community Handbook*.

2. The School will issue and publish the School's OCR-approved policy, pursuant to 34 C.F.R. § 106.9, against sex discrimination to all students, parents, and staff.

REPORTING REQUIREMENT A: By January 31, 2018, the School will submit, for OCR review and approval, the document that it intends to issue and publish. The School will fully and promptly address any comments by OCR as to the document and will continue to modify the document until it receives final OCR approval.

REPORTING REQUIREMENT B: Within 15 days of OCR's approval of the procedure required in Term 1, the School will disseminate the procedure to students, parents, and staff in English and in Spanish. Within 30 days of OCR's approval of the procedure, the School will provide OCR documentation of its efforts to disseminate the procedure, including via email; any websites used to disseminate information to students, parents, or staff; and the School's *Community Handbook*.

3. To the extent not included in the Recipients' reporting pursuant to Term V of the Resolution Agreement in OCR Case No. 08-17-1353, the Recipients will report to OCR on all complaints received pursuant to the procedure established pursuant to Term 1, whether written or oral, and the Recipients' response(s).

REPORTING REQUIREMENT: By June 22, 2018 and January 25, 2019, the Recipients will provide OCR, for OCR's approval, a description of, and any documents related to, all complaints received pursuant to the procedure established pursuant to Term 1 and the Recipients' response(s). OCR will review such documentation. The Recipients will promptly respond to OCR's concerns, if any, until OCR considers them resolved.

4. The School will provide training to all staff about the prohibition against sex discrimination, including, at a minimum and in addition to the topics required to be addressed pursuant to Term II of the Resolution Agreement in OCR Case No. 08-17-1353:
 - a. The procedure developed pursuant to Term 1;
 - b. all staff's obligation to report sexual harassment to appropriate school officials, including the Title IX Coordinator;
 - c. the person(s) to whom alleged sexual harassment should be reported; and
 - d. making sure that any students and parents who report harassment know how to report any subsequent problems.

REPORTING REQUIREMENT A: Within 90 days of this Agreement, the School 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 School 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.

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

5. The School will convene a school assembly for secondary students to discuss the School's prohibition on sexual harassment, and how to recognize and report sexual harassment, including but not limited to through the complaint procedure developed pursuant to Term 1.

REPORTING REQUIREMENT A: By January 31, 2018, the School will submit, for OCR's review and approval: (1) a summary of the proposed school assembly and any materials it proposes to use at the assembly; and (2) the identity, and qualifications, of who will be moderating the assembly. The School will fully and promptly address any comments by OCR and will continue to modify the materials and moderator(s) until it receives final OCR approval.

REPORTING REQUIREMENT B: Within 30 days of OCR's approval, the School will submit, for OCR's approval, documentation demonstrating that the assembly (1) was held, and (2) addressed the School's prohibition on sexual harassment, and how to recognize and report sexual harassment, including but not limited to through the compliance procedure developed pursuant to Term 1.

6. The School will offer counseling to all students on its high school girls' XXX team for the XXX semesters, explaining that they are welcome to speak with School counseling staff about any inappropriate behavior by their former coach.

REPORTING REQUIREMENT: Within 30 days of this agreement, the School will submit, for OCR's approval, a statement that it has complied with this term and any documents relating to its offer, the names of all students to whom this offer was made, whether each student accepted or declined the offer, and the duration and staff assigned to each student who accepts the offer.

The Recipients understand and acknowledge 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. Sections 100.9, 100.10), or judicial proceedings to enforce this Agreement, OCR will give the Recipients written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

The Recipients understand that by signing this Agreement, they agree to provide the foregoing information in a timely manner in accordance with the reporting requirements of this Agreement.¹ Further, the Recipients understand that, during the monitoring of this Agreement, if necessary, OCR may visit the Recipients, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Recipients have fulfilled the terms of this Agreement and are in compliance with Title IX and its implementing regulations. Upon completion of the obligations under this Agreement, OCR will close this case.

For Adams County School District 12:

/s/

December 12, 2017

XXX, Superintendent

Date

For Stargate School:

/s/

December 13, 2017

XXX, Executive Director

Date

¹ The School will simultaneously provide to the District a copy of each of its proposals/submissions and its monitoring reports to OCR.