

RESOLUTION AGREEMENT
Innovative Humanities Education Corporation
Case Number 08-17-1518

Innovative Humanities Education Corporation, also known as Copper Point Schools (the Recipient) enters into this agreement to resolve the allegations in the above-referenced complaint. This agreement does not constitute an admission of liability, non-compliance, or wrongdoing by the Recipient. The Recipient assures the U.S. Department of Education, Office for Civil Rights (OCR), that it will take the following actions to comply with the requirements of Title IX of the Education Amendments of 1972 and its implementing regulation at 34 Code of Federal Regulation Part 106, which prohibit discrimination on the basis of sex in education programs and activities that receive Federal financial assistance from the Department.

Prior to the completion of OCR's investigation, the Recipient agreed to resolve Issue One of this investigation pursuant to Section 302 of OCR's *Case Processing Manual*. Accordingly, to resolve Issue One of this investigation, the Recipient agrees to take the following actions.

1. Sexual Harassment Policies and Grievance Procedures. The Recipient will review and revise, as necessary, its sexual harassment policies and grievance procedures to ensure they adequately address and provide the Recipient sufficient options for responding promptly and appropriately to reports of sex discrimination and harassment. At a minimum, the Recipient will ensure that its policies and procedures provide the following:

- Notice to students, parents of elementary and secondary students, and employees of the procedure, including where complaints may be filed;
- Application of the procedure to complaints alleging harassment carried out by employees, other students, or third parties;
- Adequate, reliable, and impartial investigation of complaints, including the opportunity to present witnesses and other evidence;
- Designated and reasonably prompt timeframes for the major stages of the complaint process;
- Notice to the parties of the outcome of the complaint; and
- An assurance that the Recipient will take steps to prevent recurrence of any harassment and to correct its discriminatory effects on the complainant and others, if appropriate.

REPORTING REQUIREMENT A: By May 31, 2018, the Recipient will provide for OCR's review and approval a draft of the revised procedures and any additional policies or informational documents that address complaints alleging discrimination on the basis of sex (including sexual and gender-based harassment, assault, and violence). OCR will review these grievance procedures and related materials in order to ensure that these comply with Title IX and this Agreement.

REPORTING REQUIREMENT B: Within 30 calendar days of OCR's approval of the revised policies and procedures, the Recipient will certify to OCR that it has formally adopted the revised documents; updated all printed publications and on-line publications with the revised documents (inserts may be used pending reprinting of these publications); and electronically

disseminated the revised grievance procedures to students and employees. This documentation will include evidence of the electronic dissemination of the revised grievance procedures to students and employees, a list of the titles of the publications in which the information appears (e.g. School catalog, website, student handbook) as well as a copy of any such publications or a link to an on-line publication containing the revised grievance procedures; or if not yet finalized, a copy of the insert for printed publications. The Recipient will also provide documentation of how the revised procedures were distributed; and that the Title IX Coordinator, Title IX staff, students, employees, and parents have access to the procedures and know where copies may be obtained.

2. ***Training for Title IX Staff.*** The Recipient will provide training for all Title IX Staff (i.e. Title IX Coordinator or other staff charged with responding to or receiving Title IX reports). The training, at a minimum, will cover: instruction on how to conduct and document adequate, reliable, and impartial Title IX investigations; how to interview and interact with students in a way that is trauma-informed, sensitive, and respectful; and what to do to respond to additional incidents of alleged sexual harassment and retaliatory harassment of which the Recipient receives notice during an investigation.

REPORTING REQUIREMENT A: Within 30 calendar days of OCR's approval of the Recipient's revised Sexual Harassment Policies and Grievance Procedures, the Recipient will identify the staff who will receive the training. The Recipient will also identify the proposed trainer, describe the trainer's qualifications to deliver the required training, and provide a brief description of the training that is planned. The Recipient will respond to any feedback OCR provides regarding the qualifications of the trainer and description of the training.

REPORTING REQUIREMENT B: Within 60 calendar days of OCR's approval of the proposed training, the Recipient will provide documentation to OCR demonstrating that the training described herein was provided by the Recipient. The documentation will include, at a minimum, the name(s) and credentials of the trainer(s); the date(s) and time(s) of the training(s); a description of each training; the type of audience; sign-in sheets for each session with the names and titles of those attending; and copies of any training materials distributed.

3. ***Implementation of Policies.*** During the 2018-19 school year, the Recipient will investigate every report of sex-based discrimination at Copper Point schools, regardless of whether the report is written or oral, pursuant to its policies and procedures. The Recipient will maintain a record in appropriate format of every investigation. The records will include:

- documentation of all written and oral complaints and reports of alleged sex discrimination (e.g., reporting forms and incident reports), including who filed the complaint or made the report;
- a description of the Recipient's actions taken in response to the complaints and reports, including investigative documentation (e.g., witness statements and interview notes), as well as documentation related to the Recipient's findings, including whether sex discrimination was found;

- documentation related to the Recipient's response when sex discrimination was found, including any disciplinary and corrective actions taken, as well as efforts to prevent recurrence;
- a description of any remedies secured for the victim(s), if applicable; and
- a description of any patterns and systemic problems identified by the Recipient's Title IX Coordinator(s) during his or her review of the complaints and reports, and what was done to address such patterns and problems.

REPORTING REQUIREMENTS: By January 31, 2019, and again by July 1, 2019, the Recipient will submit a summary list, preferably in digital spreadsheet format, of all reports received during the reporting period (including reports still under investigation), identifying the alleged victim by name, the date of the alleged incident, and the date of the report. The Recipient will also submit copies of the complete record for each investigation completed during the reporting period.

4. ***Individual counseling.*** The Recipient will offer a minimum of ten hours of counseling to the student to address the effects of any unwanted sexual contact the student experienced. The Recipient may use its own counseling staff, make arrangements with an outside counselor, or provide compensation to the complainant to obtain counseling services.

REPORTING REQUIREMENT A: By April 15, 2018, the Recipient will provide OCR a draft letter to the complainant that explains the counseling services the Recipient is offering, including who will provide the counseling services, where the services will be provided, and how the complainant can arrange the services (or, the amount of compensation the Recipient will provide the complainant).

REPORTING REQUIREMENT B: Within 15 calendar days of OCR's approval of the draft letter, the Recipient will provide OCR documentation that the letter was provided to the complainant, including a copy of the final letter, and either a mailing receipt or a copy of an email.

REPORTING REQUIREMENT C: Within 90 calendar days after the Recipient's offer of counseling services, the Recipient will provide OCR documentation regarding the provision of the services, including documentation of all contacts with the complainant regarding the services, and documentation of the amount and type of services provided, such as logs or notes.

5. ***Academic advising.*** The Recipient will offer to meet with the complainant to assist the complainant in either re-enrolling the student, or identifying another appropriate school for the student. If the complainant wishes to re-enroll the student, the Recipient will accept the student for enrollment. If the complainant does not wish to re-enroll the student, the Recipient will take appropriate steps to facilitate the enrollment of the student elsewhere, such as promptly responding to any records request from another school.

REPORTING REQUIREMENT A: By April 15, 2018, the Recipient will provide OCR a draft letter to the complainant inviting the complainant to meet with its counseling or guidance

staff for the meeting described above. This invitation may be incorporated into the letter prepared pursuant to Item 3 above.

REPORTING REQUIREMENT B: Within 15 calendar days of OCR’s approval of the draft letter, the Recipient will provide OCR documentation that the letter was provided to the complainant, including a copy of the final letter, and either a mailing receipt or a copy of an email.

REPORTING REQUIREMENT C: Within 90 calendar days after the Recipient’s offer of a meeting, the Recipient will provide OCR documentation regarding the meeting, including documentation of all contacts with the complainant about the meeting, and if the complainant requests the meeting, notes from the meeting.

The Recipient understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the Recipient understands that during the monitoring of this 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 this Agreement and is in compliance with the regulations implementing Section 504 and Title II at 34 C.F.R. §104.11; and 28 C.F.R. § 35.130(a). Upon completion of the obligations under this Agreement, OCR shall close and dismiss this case.

The Recipient 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 Recipient written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

This Agreement will become effective immediately upon the signature of the Recipient’s representative below.

For Innovative Humanities Education Corporation:

/s/ Dustie Gunn-Ader

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