

Resolution Agreement

Denver Public Schools and Denver School of Science & Technology (DSST) Conservatory Green Middle School and High School OCR Case Number 08-18-1308

Denver Public Schools (District) and DSST Conservatory Green Middle School and High School (School) enter 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 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 (a) designate at least one adequately trained person as a Title IX Coordinator(s) to comply with the requirements of Title IX and 34 C.F.R. § 106.8; and (b) 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 School's Title IX Coordinator(s), including, at a minimum, title and contact information, in accordance with 34 C.F.R. § 106.8(a), and OCR's contact information. Additional guidance on notices of nondiscrimination can be found at <http://www2.ed.gov/about/offices/list/ocr/docs/nondisc.html>.

REPORTING REQUIREMENT A: Within 30 calendar days of this Agreement, the School will provide for OCR's approval¹ the (1) notice of nondiscrimination; and (2) proposed Title IX Coordinator(s)'s name and qualifications, which demonstrate the individual(s)'s ability to appropriately meet the School's compliance obligations. If OCR determines that the individual(s) lack the necessary qualifications, the School will develop a plan for immediately providing relevant training to the individual(s) or designate another person who is demonstrably qualified. Within 30 calendar days of notification from OCR that training is necessary, any necessary training will be completed. Within 45 calendar days of notification from OCR that training is necessary, the School will provide for OCR's approval documentation that the training is complete.

REPORTING REQUIREMENT B: Within 30 calendar days of OCR's approval of the notice of nondiscrimination and Title IX Coordinator(s), the School will (1) widely disseminate the notice to students, parents, and staff in English and any other language into which the School routinely translates documents, including via email, the School's Student and Family Handbook and Staff Handbook, and any websites used to disseminate information to students, parents, or staff; and (2) provide for OCR's approval documentation of this dissemination.

2. The School will create or revise a written procedure through which complaints of sex discrimination may be filed, which, at a minimum:

¹ With respect to all provisions of this Agreement requiring OCR approval, the School agrees to fully and promptly address any feedback by OCR until OCR issues its final approval.

- a. provides for effective notice of the procedure, including of how to file complaints internally (at a minimum, with the Title IX Coordinator(s)) and with OCR;
- b. explains that all staff are responsible employees obligated to report alleged sexual harassment to appropriate school officials, including the Title IX Coordinator;
- c. applies to complaints alleging any action by employees, students, or third parties that would be prohibited by Title IX, including, but not limited to, sexual harassment and retaliation;
- d. states 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 conduct;
- e. if an informal process exists, states that each party has the right to end the informal process and begin a formal process at any time;
- f. provides for adequate, reliable, and impartial investigation of all stages of complaints, including the opportunity to present witnesses and other evidence;
- g. ensures that individuals who play a role in receipt, investigation, appeal, or other resolution of complaints do not have actual or potential conflicts of interest,
- h. sets designated and reasonably prompt timeframes for all major stages of the complaint process;
- i. provides for a response that is reasonably calculated to end any discrimination, remedy its effects, and prevent recurrence, including discipline, where appropriate, of any staff or students found to have engaged in discrimination;
- j. culminates in written notice to all parties of the outcome of the complaint (including any appeals); and
- k. contains an assurance that retaliation against complainants and other participants is prohibited.

REPORTING REQUIREMENT A: Within 45 calendar days of this Agreement, the School will provide for OCR's approval, its draft procedure.

REPORTING REQUIREMENT B: Within 30 calendar days of OCR's approval of the procedure, the School will (1) widely disseminate the procedure to students, parents, and staff in English and any other language into which the School routinely translates documents, including via email, the School's Student and Family Handbook and Staff Handbook, and any websites used to disseminate information to students, parents, or staff; and (2) provide for OCR's approval documentation of this dissemination.

3. The School will provide training to all staff about its prohibition against sex discrimination, including, at a minimum:
 - a. the procedure developed pursuant to Term 2;
 - b. the definitions, and the School's prohibitions, of sexual harassment by employees, sexual harassment by students, and retaliation, and examples of each; and
 - c. all staff's obligation to report sex discrimination (including but not limited to harassment) to appropriate school officials, including the Title IX Coordinator(s).

REPORTING REQUIREMENT A: Within 60 calendar days of this Agreement, the School will provide for OCR's approval its draft training materials; proposed trainer, by name and qualifications; and proposed list of required participants, by name and title.

REPORTING REQUIREMENT B: Within 60 days of OCR's approval of the trainer, materials, and participants, the School will provide for OCR's approval documentation demonstrating that the training was provided and to whom (*e.g.*, training sign-in sheets).

4. The School will report to OCR through the 2018-2019 school year on all complaints of alleged sex discrimination (including sexual harassment), including but not limited to those received pursuant to the procedure established pursuant to Term 2, and the School's response(s).

REPORTING REQUIREMENT: By January 15 and June 15, 2019, the School will provide for OCR's approval, a list or table (preferably in Excel format) of all incidents of alleged sex discrimination of or by students, employees, or third parties, for the preceding semester(s), including but not limited to those received pursuant to the procedure established pursuant to Term 2. The list or table will state: the name(s) of all individual(s) involved, the date(s) of the incident(s), and an explanation of the incident(s) and the School's response. The School will also provide all documents relating to all incidents.

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. 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 DSST Conservatory Green:

/s/

10/30/18

XXX, Middle School Director

Date

/s/

10/30/18

XXX, High School Director

Date

For Denver Public Schools:

/s/

10/23/18

By XXX

Date