

## **RESOLUTION AGREEMENT**

Seattle School District No. 1 (district) enters into this voluntary resolution agreement (Agreement) to resolve OCR Reference No. 10181302, filed with the U.S. Department of Education (Department), Office for Civil Rights (OCR), under Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. §§ 1681-1688, and its implementing regulation at 34 C.F.R. Part 106.

The district agrees that it is the district's policy to provide comparable interscholastic athletic competition for male and female students in a variety of sports and to provide equivalent benefits and opportunities for athletic opportunities to members of both sexes participating in its interscholastic athletic programs, in accordance with the requirements of Title IX, the regulation at 34 CFR 106.41(c), and the applicable OCR Policy Interpretation. To that end, the district agrees to take the specific steps described below at Garfield High School (school) to ensure that it provides equivalent benefits, opportunities, and treatment to members of both sexes with respect to the provision of locker rooms, practice, and competitive facilities.

### **I. District Assessment**

- A. The district will conduct an assessment of the facilities used by the boys' interscholastic baseball teams and the girls' interscholastic softball teams at the school, including any facilities that are not owned by the district, to ensure that the school provides equivalent benefits, opportunities, and treatment to members of both sexes with respect to the provision of locker rooms, practice, and competitive facilities. The assessment will include but not be limited to, the following factors: 1) quality and availability of facilities provided for practice and competitive events; 2) exclusivity of use of facilities provided for practice and competitive events; 3) proximity of practice and competitive facilities that are located off campus; 4) availability of locker rooms; 5) quality of locker rooms, practice, and competitive facilities; 6) maintenance of locker rooms and practice and competitive facilities; and 7) preparation of facilities for practice and competitive events. The assessment will include input by coaches, student-athletes, and other knowledgeable individuals.

The assessment will also include identification of any inequities that exist with respect to the quality and availability of the softball facilities as compared to the baseball facilities, including, but not limited to field condition, preparation and maintenance; dugouts; announcer's booth and PA system; lighting; concessions; quality and availability of nearby locker rooms; quality and availability of nearby batting cages; backstop and fencing; spectator seating (bleachers and accessible viewing area) and other physical features of the respective facilities.

- B. Reporting Provision: By June 30, 2019, the district will submit the assessment in the form of a written report to OCR for OCR's review and approval. The report will include detailed information describing the facilities for boys' interscholastic baseball teams and for the girls' interscholastic softball teams at the school consistent with the factors identified in Section I.A. and also include a summary of the input provided by

coaches, student-athletes, and other knowledgeable individuals. OCR will review the report submitted by the district and notify the district if additional data is needed or if revisions are required. If OCR requires additional data or revisions to the report, the district will re-submit the report to OCR for review and approval within 30 calendar days of receiving notice of the need for additional data and revisions required by OCR. OCR and the district will follow the same process until OCR approves the district's report.

II. Corrective Action Plan

- A. Within 90 calendar days of receiving OCR's written approval of the district's assessment, the district will complete a Corrective Action Plan (action plan) to address any inequities that were identified in its assessment. The action plan will detail the specific steps the district will take to ensure that inequities identified in its assessment are addressed. For facilities that are not district-owned, the district's plan will summarize the steps the district will take to have any inequities identified addressed by the owners of the facilities. The action plan will also include a detailed timeline for completion of the action plan.
- B. Reporting Provision: Within 10 calendar days of completing its action plan, the district will submit the action plan to OCR for OCR's review and approval. OCR will review the action plan submitted by the district and notify the district if revisions are required. If OCR requires revisions to the action plan, the district will re-submit the action plan to OCR for review and approval within 30 calendar days of receiving notice of the revisions required by OCR. OCR and the district will follow the same process until OCR approves the action plan.

III. Implementation of Action Plan

- A. The district will complete the implementation of the action plan within the time frame that is specified in the action plan.
- B. Reporting Provision: Beginning 90 calendar days after receiving OCR's written approval of the action plan and on a twice-yearly basis thereafter at six month intervals, the district will provide OCR with written reports detailing the status of its implementation of the action plan. The reports will specify the items in the action plan that have been completed, the progress made toward implementation of items that are planned or are underway, any obstacles or delays that have or may impact the full implementation of the action plan and any other information that is relevant to OCR's determination with respect to whether the district is in compliance with the Agreement and, ultimately, with the requirements of Title IX at issue in this case.

IV. Monitoring Principles

- A. The district understands that by signing this Agreement, it agrees to provide OCR data and other information in a timely manner in accordance with the reporting

requirements of the Agreement. Further, the district understands that during the monitoring of this Agreement, if necessary, 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. Upon the district's satisfaction of the commitments made under this agreement, OCR will close this case.

- B. The district understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of this Agreement and/or Title IX and 34 C.F.R. § 106.41. Before initiating such proceedings, OCR shall give the district written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

Signed:

\_\_\_\_\_/s/\_\_\_\_\_  
Superintendent (or designee)

December 20, 2018  
Date