



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE FOR CIVIL RIGHTS

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January 11, 2023

***Via e-mail only to: [ddiaz@rsd7.net](mailto:ddiaz@rsd7.net)***

Dr. Danna Diaz  
Superintendent  
Reynolds School District 7  
1204 NE 201st Ave  
Fairview, Oregon 970249642

Re: Reynolds School District 7  
OCR Reference No. 10221314

Dear Superintendent Diaz:

This letter is to inform you of the disposition of the above-referenced complaint filed with the U.S. Department of Education, Office for Civil Rights (OCR), against the Reynolds School District 7. The complainant alleged that the District discriminates against female students in its interscholastic athletic programs at Reynolds High School (school) with respect to the provision of locker rooms, practice and competitive facilities. OCR investigated whether the District discriminates against female students at the school by failing to provide equal athletic opportunities to members of both sexes relating to the provision of locker rooms, practice and competitive facilities.

As explained below, prior to completion of OCR's investigation, the District expressed an interest in voluntarily resolving the complaint and signed the enclosed Voluntary Resolution Agreement to address the complaint allegations.

OCR investigated this case under the authority of Title IX of the Education Amendments of 1972 (Title IX) and its implementing regulation, at 34 C.F.R. Part 106, which prohibit discrimination on the basis of sex in education programs and activities receiving federal financial assistance. The District receives federal financial assistance from the Department. Therefore, it is required to comply with Title IX.

The regulation implementing Title IX, at 34 C.F.R. § 106.31(a), states as follows:  
“Except as provided elsewhere in this part, no person shall, on the basis of sex, be

*The Department of Education's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access.*

excluded from participation in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other education program or activity operated by a recipient which receives Federal financial assistance.”

The regulation implementing Title IX, at 34 C.F.R. § 106.41(c)(7), requires that a recipient provide equal athletic opportunity for male and female students regarding the provision of locker rooms, practice and competitive facilities.

To determine compliance with 34 C.F.R. § 106.41(c)(7) with respect to the provision of locker rooms, practice and competitive facilities, OCR assesses (1) the quality and availability of the facilities provided for practice and competitive events; (2) exclusivity of use of facilities provided for practice and competitive events; (3) availability of locker rooms; (4) quality of locker rooms; (5) maintenance of practice and competitive facilities; and (6) preparation of facilities for practice and competitive events.

OCR’s investigation to date indicated that the District may not be providing locker rooms, practice and competitive facilities to girls’ softball that are comparable to those offered to boys’ baseball at the school. Specifically, OCR received information reflecting that boys’ baseball at the school has superior locker rooms, playing fields, dugouts, hitting facilities, bullpens, spectator seating, storage, press box and concessions stand compared to what is provided to girls’ softball.

In accordance with Section 302 of the OCR’s *Case Processing Manual*, a complaint may be resolved at any time when, prior to the conclusion of the investigation, the recipient expresses an interest in resolving the allegations and OCR determines that it is appropriate to resolve them because OCR’s investigation has identified concerns that can be addressed through a resolution agreement. In this case, the District requested to resolve the complaint with an agreement. In light of the District’s willingness to comprehensively address the concerns identified by OCR without further investigation, OCR determined that entering into a voluntary resolution agreement is appropriate. Subsequent discussions with the District resulted in the District signing the enclosed agreement.

The actions the District will take in the agreement include conducting assessments of the facilities provided to the boys’ and girls’ interscholastic athletic teams at the school to ensure that members of both sexes are provided with equivalent benefits, opportunities, and treatment. Based on the District’s assessment, the District will create and implement a corrective action plan to remedy any identified inequities between girls’ and boys’ interscholastic athletic teams at the school with respect to the areas of concern identified.

When fully implemented, the agreement will address the evidence obtained and the allegation investigated.

This letter is not a formal statement of OCR policy and should not be relied upon, cited, or construed as such. OCR's formal policy statements are approved by a duly authorized OCR official and made available to the public.

This concludes OCR's investigation of the complaint. The complainant may have the right to file a private suit in court regardless of OCR's determination.

Please be advised that the District may not harass, coerce, intimidate, or discriminate against any individual because the individual has filed a complaint or participated in the complaint resolution process. If this happens, the individual may file another complaint alleging such treatment.

Under the Freedom of Information Act, it may be necessary to release this document and related correspondence and records upon request. In the event that OCR receives such a request, we will seek to protect, to the extent provided by law, personally identifiable information, which, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy.

OCR will monitor the implementation of the agreement and will close the monitoring of the agreement when OCR determines that the District is in compliance with the terms of the agreement and the statute and regulations at issue in this case.

Thank you for the cooperation that you and your staff extended to OCR staff in resolving this complaint. If you have any questions, please feel free to contact Charlotte Cunningham, Attorney, at (206) 607-1610 or at [charlotte.cunningham@ed.gov](mailto:charlotte.cunningham@ed.gov).

Sincerely,

Paul Goodwin  
Supervisory Attorney

cc: Honorable Colt Gill, Superintendent of Public Instruction  
(via email only to: [Colt.gill@ode.state.or.us](mailto:Colt.gill@ode.state.or.us))

Enclosure: Voluntary Resolution Agreement