

**Voluntary Resolution Agreement**  
**Washington Mathematics Science Technology Public Charter School**  
**OCR Complaint No. 11-13-1096**

Washington Mathematics Science Technology Public Charter School (the School) agrees to fully implement this voluntary resolution agreement (Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-13-1096. This Agreement is not, and shall not be construed as, an admission of liability, fault, or wrongdoing of any kind by the School. The School will work in good faith to meet each of the established deadlines as outlined below. If, however, the School is unable to comply with the specified deadlines or with any clause of this Agreement because of unforeseen circumstances beyond its control, the School will request that OCR agree to extend the deadlines or negotiate new timelines, whichever appropriate. OCR will not unreasonably deny any such request for an extension or renegotiation. OCR will notify the school at least 10 business days<sup>1</sup> in advance of any visit to the School.

The School voluntarily agrees to take all steps reasonably designated to ensure that students enrolled in the School are not subject to a hostile environment and to respond to allegations of harassment on the basis of sex. To this end, the School will promptly investigate all incidents of harassment of students on the basis of sex that are known, or reasonably should be known, to the School and will take appropriate action to respond to complaints, which may include disciplinary action against students and/or staff. The School will take prompt and effective responsive action reasonably designed to end the hostile environment if one has been created, prevent its recurrence, and, where appropriate, take steps to remedy the effects of the hostile environment on affected student(s).

**ANTI HARASSMENT STATEMENT AND SCHOOL PROCEDURES**

1. By August 26, 2013, the School will issue a statement to all School students, parents/guardians, and staff that will be printed in the School's newsletter, posted in prominent locations at the School, and published on the School's website, stating that the School does not tolerate acts of harassment, including acts of harassment based on sex and gender-based harassment. The statement will encourage any student who believes s/he has been subjected to harassment or a hostile environment to report the harassment or hostile environment to the School and note the School's commitment to conducting a prompt, thorough, and impartial investigation. The statement will include the appropriate contact information for the designated staff member to whom students and parents may report allegations of harassment and/or discrimination. The statement will warn that students found to have engaged in acts of harassment or other acts that create a hostile environment will be dealt with promptly, including where appropriate by discipline that may include, if circumstances warrant, suspension or expulsion. The statement will encourage students, parents and School staff to work together to prevent acts of harassment of any kind. The School will distribute this statement in languages other than English as necessary.

**REPORTING REQUIREMENT:** By August 1, 2013, the School will provide OCR with its anti-harassment statement for OCR's review and approval. Within 5 business days from August 26, 2013, or within 5 business days from the date of OCR's approval of the statement, whichever occurs last, the School will provide OCR with documentation that the statement was posted and published, as described above.

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<sup>1</sup> For purposes of this agreement, a "business day" is defined as a workday for the School's administrative staff in accordance with the school's calendar.

2. By August 1, 2013, and to the extent possible in consultation with the Mid-Atlantic Equity Center (MAEC), the School will develop a written procedure for its staff on how to investigate and respond to complaints of sexual and gender-based harassment. The procedure will include:
  - a. The definition of sexual and gender-based harassment;
  - b. A clarification that mediation is not an appropriate approach for resolving complaints of sexual and gender-based harassment unless it is mutually agreeable and the allegations do not involve complaints of assaults and other sexual violence;
  - c. A statement that the School's obligation to respond to complaints of sexual and gender-based harassment does not change when the alleged student victim withdraws or graduates from the School;
  - d. A process for investigating and documenting sexual and gender-based harassment allegations, including how to conduct interviews with the alleged harasser, victim, and other witnesses; the responsibility to keep the parties informed about the status of the investigation; the implementation of any interim measures; the standard for determining whether harassment occurred; and notifying the parties of the outcome;
  - e. The steps necessary to ensure that the School environment is free from harassment, including disciplinary measures for the harasser; remedies for the victim (such as counseling; expunging disciplinary records; tutoring services; separating the students, etc.); and environmental measures for the student body; and
  - f. The School personnel (by name and title) responsible for responding to complaints of harassment.

**REPORTING REQUIREMENT:** By August 1, 2013, the School will provide OCR with its proposed procedure for OCR's review and approval.

**REPORTING REQUIREMENT:** Within 10 business days of OCR's approval of the procedure, the School will provide documentation to OCR that it posted this procedure on its website and distributed this procedure to the Title IX Coordinator, all administrators, and any individuals responsible for investigating and/or responding to sexual and gender-based harassment complaints.

3. By August 1, 2013, the School will ensure that its description of the Title IX Coordinator's responsibilities and corresponding training requirements include the coordination of investigations of all Title IX complaints, and the responsibility of the Title IX Coordinator to regularly develop and participate in activities designed to raise awareness in the School's community about sexual and gender-based discrimination and harassment. If the School decides to designate these responsibilities to another employee, it will make clear the scope of each deputy individual's duties and will ensure that the Title IX Coordinator has ultimate oversight responsibility over such individuals.

**REPORTING REQUIREMENT:** By August 1, 2013, the School will provide OCR with documentation that it has implemented this item, including the name and title of the Title IX Coordinator or designee(s) and a copy of the job descriptions and training requirements for the position(s).

**REPORTING REQUIREMENT:** Within 30 business days of OCR's approval of the Title IX Coordinator's description, the School will provide OCR with documentation that the School's Title IX Coordinator has met these requirements.

## TRAINING

1. Prior to the beginning of the 2013-2014 school year, the School will schedule a mutually convenient time for OCR to provide Title IX training (including training on sexual and gender-based harassment and how to conduct a sexual harassment investigation) to its Title IX Coordinator and all School staff. The School will deem staff attendance at the training as mandatory. If, however, a staff member(s) is unable to attend, the Title IX Coordinator will provide training to the staff member(s).

**REPORTING REQUIREMENT:** Within 5 business days after the training, the School will provide OCR with a copy of the sign-in sheets.

2. By September 1, 2014, and each year thereafter, the School will develop, with the assistance of MAEC, and provide Title IX training to all School staff. At a minimum, the training will include:
  - a. In-depth guidance to increase awareness of what constitutes sexual harassment and gender-based harassment, among students or involving a student victim, and the negative impact that it has on the educational environment;
  - b. A focused review of the School's responsibility under its own policy and Title IX to address allegations of harassment, including specific guidance on the School's grievance procedures, what constitutes sexual and gender-based harassment, the School's responsibility for responding to sexual harassment whether or not a grievance is filed, how to report possible harassment, and how to respond to sexual harassment when a student is no longer enrolled in the School; and
  - c. Notice that failure to respond appropriately to notice of sexual harassment violates the School's policy and federal law.

For School staff responsible for investigating complaints of sexual and gender-based harassment, in addition to 2(a)-2(c), the training will also include guidance on:

- a. How to conduct and document sexual and gender-based harassment investigations; and
- b. The appropriate standards to apply in reaching determinations and formulating corrective actions.

**REPORTING REQUIREMENT:** Until such time as OCR closes the monitoring of this case, within 10 business days of scheduling each training, the School will provide OCR with the name and qualifications of the trainer, and an outline of the training content for OCR approval. Until such time as OCR closes the monitoring of this case, within 10 business days following each training, the School will provide copies of sign-in sheets from each training session.

3. The School, in consultation with the MAEC, and consistent with applicable law, will expand upon its current efforts to provide age-appropriate student education, including written materials such as pamphlets, recurring throughout the year, designed to increase awareness of sexual and gender-based harassment, inform students of the consequences of sexual and gender-based harassment, explain to students what they should do if they believe they or another student is being harassed based on sex/gender, and encourage students to report sexual harassment. The instruction will promote sensitivity to and tolerance of the diversity of the student body, and will specifically address harassment issues related to sex, gender, and nonconformity with gender stereotypes.

**REPORTING REQUIREMENT:** By January 1, 2014, the School will provide OCR with an outline of the proposed instruction or the name and description of the curriculum, for review and approval. At the same time, the School will provide OCR the dates during the 2013-2014 school year on the period during the current school year when the multi-session curriculum will be presented.

**REPORTING REQUIREMENT:** Within 30 business days of OCR's approval of the School's instruction or curriculum, the School will implement the first student education session. The School will provide student education during each successive year. By March 1<sup>st</sup>, of the 2013-2014 and 2014-2015 school years, the School will provide confirmation to OCR that the training occurred.

### SCHOOL CLIMATE

1. Consistent with applicable law, the School will develop and administer a school climate survey or other method of assessing school climate to be used on an annual basis for students and staff to assess the effectiveness of steps taken pursuant to this agreement or otherwise by the School to ensure that it is free of sexual and gender-based harassment.

**REPORTING REQUIREMENT:** By August 1, 2013 the School will provide OCR a draft of the climate survey and/or other assessment methodology for review and approval.

2. Based on the results of the climate assessment and in consultation with the MAEC, the School will take steps to continue to ensure that it is free of sexual and gender-based harassment.

**REPORTING REQUIREMENT:** By October 31, 2013 and annually thereafter, the School will administer the climate survey and/or other assessment methodology and provide OCR with a summary of the results until such time as OCR closes the monitoring of this case.

**REPORTING REQUIREMENT:** By December 1, 2013 and annually thereafter until such time as OCR closes the monitoring of this case, the School will provide OCR with a list of steps it will take in response to the results of the climate assessment.

3. The School will develop a student advisory committee to assess its efforts to eliminate any hostile environment and its effects, and prevent harassment from recurring. The Committee will have the same privileges as other School extracurricular activities, including access to meeting space and public notice about the committee. The Committee will:
  - a. Recommend strategies for preventing harassment, and for ensuring that the students understand their right to be protected from discrimination, including harassment;
  - b. Provide continuing input to School officials regarding strategies to ensure students understand how to report possible harassment and are aware of the School's obligation to promptly and effectively respond to sexual and gender-based harassment complaints and how, and if, outreach efforts to families can be made to obtain support for the School's anti-harassment program; and
  - c. The School will involve the Committee to the greatest extent possible in implementing the recommendations and suggestions.

**REPORTING REQUIREMENT:** By October 31, 2013, and annually thereafter until such time as OCR closes the monitoring of this case, the School will provide OCR with copies of

notices and other information available to students and their families about the Committee and their meetings and activities, the School's process for selecting students for the Committee, the name(s) and title(s) of all School personnel coordinating the Committee, the number of students on the Committee, and a report summarizing the Committee's recommendations and the School's responses to the recommendations and suggestions (including whether and how they were implemented). OCR will provide the School with feedback on the recommendations, and the School will incorporate OCR's feedback and will provide OCR documentation every 90 business days of its steps to implement the recommendations.

### SEXUAL HARASSMENT COMPLAINTS

1. Within 5 business days of the date of this agreement, the School will notify the Complainant in writing stating that it is continuing its investigation into the allegation of sexual harassment, and inviting the Student to return to School. In this notice, the School will also include an offer to the Complainant to provide interim measures, such as ensuring that the Student is separated from the alleged harasser; designating a School employee to provide daily check-ins with the Student to ensure that he feels comfortable and to report any concerns of harassment; etc., while the investigation is ongoing.
2. Within 15 business days of the date of this agreement, the School will complete prompt and equitable investigation into the allegation of sexual harassment at issue in the instant complaint. The School's investigation will include the opportunity for the Student and his parent to present witnesses and other evidence, will be documented, and will be maintained in a central database or location with other similar and/or related complaints. Within 5 business days, to the extent feasible, after OCR reviews and approves the School's investigation and any proposed remedies (such as counseling or discipline for the accused harasser; counseling, compensatory education, and the removal of any discipline for the alleged victim), if applicable, the School will provide written notice to the parties of the outcome of the complaint and the steps it will take to prevent the recurrence of any discrimination and to correct its discriminatory effects on the Student.

**REPORTING REQUIREMENT:** Within 7 business days of the date of this agreement, the School will provide OCR with documentation of the written notice that it provided to the Complainant, as described in Provision 1, for OCR's review and approval.

**REPORTING REQUIREMENT:** Within 7 business days of the completion of its investigation, the School will provide OCR with documentation of its investigation, findings, rationale for findings, and if it determines that sexual harassment occurred, any actions it proposes to take to prevent further incidents of such harassment and to correct the effects on the Student, for OCR's approval.

**REPORTING REQUIREMENT:** Within 10 business days of OCR's approval of the sexual harassment investigation, the School will provide OCR with documentation of any actions that it took, including providing the Student's parent with written notice of the outcome of its investigation.

3. Within 30 business days of the end of the 2012-2013 school year and within 30 business days of the end of each school semester of the 2013-2014 and 2014-2015 school years, the School will provide to OCR information regarding each incident of alleged sexual and gender-based

