

RESOLUTION AGREEMENT
Magellan Public Charter School
OCR Complaint No. 11-14-1058

Magellan Public Charter School (the School) agrees to fully implement this Resolution Agreement (the Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-14-1058. This Agreement does not constitute an admission by the School of a violation of Title IX of the Education Amendments of 1972 (Title IX), Title II of the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, or any other law enforced by OCR.

COMMITMENTS

Grievance Procedures

1. By May 1, 2015, the School will submit to OCR for its review and approval, draft Section 504 and Title IX Grievance Procedure(s). To the extent not covered in the existing procedures, the Grievance Procedure(s) will provide for the prompt and equitable response to, and resolution of, complaints alleging disability and sex discrimination and harassment, and will include:
 - a. Notice that the Grievance Procedure(s) apply to complaints alleging disability and sex discrimination (including sexual harassment, such as sexual assault and sexual violence and disability harassment) by employees, students, and all third parties;
 - b. The name or title, office address, and telephone number of the individual(s) with whom to file a complaint;
 - c. Provisions for the adequate, reliable, and impartial investigation of all complaints, including the opportunity for the parties to present witnesses and other evidence;
 - d. Designated and reasonably prompt timeframes for the major stages of the investigation;
 - e. An assurance that the School will keep the complaint and investigation confidential to the extent possible;
 - f. An assurance that the school will take steps to prevent recurrence of any harassment and to correct its discriminatory effects on the complainant and others, if appropriate; and
 - g. Written notification to the parties of the outcome of the complaint.
2. OCR will review and respond to the submissions in Paragraph 1 within sixty (60) days.

3. After receiving written notification from OCR that the revised Grievance Procedure(s) developed in accordance with item #1 above are consistent with requirements, the School will adopt and implement the Grievance Procedures and Policies and will provide all students and employees with electronic or written notice regarding the new Grievance Procedures and Policies together with information on how to obtain a copy. The School, at a minimum, will make this notification through the School's website, electronic mail messages to employees and students, as well as by any other additional means of notification the School deems effective to ensure that the information is widely disseminated.

Reporting Requirements:

- a. By May 1, 2015, the School will submit to OCR for its review and approval the Grievance Procedures and the Policies referenced in item #1 above.
 - b. Within 45 school days after OCR's approval of the Grievance Procedure(s), the School will provide OCR with documentation that it has implemented item #3 above, including copies of the written notices issued to students and employees regarding the new Grievance Procedure(s), and a description of how the notices were distributed; copies of its revised student and employee handbooks beginning with the 2015 -2016 school year; and a link to its webpage where the revised Grievance Procedure(s) are located.
4. The School will submit to OCR for review and approval a revised notice of nondiscrimination, which will notify students, parents, employees, and other relevant persons that it does not discriminate on the basis of sex and disability in the education programs or activities that it operates and that it is required by Title IX and Section 504 not to discriminate in such a manner. The notice shall state that inquiries concerning the application of Title IX and Section 504 may be referred to the Title IX and Section 504 Coordinators or to the assistant secretary for civil rights. The notice shall include the name or title, office address, and telephone number for the School's Title IX and Section 504 Coordinators. The School will publish this notice on its website as well as in any bulletins, announcements, catalogs, and application forms that are used in connection with the recruitment of students or employees or otherwise made available to students, employees, applicants for admission or employment, sources of referral of applicants for admission or employment, and all unions or professional organizations holding collective bargaining or professional agreements with the School.

Reporting Requirement: By May 1, 2015, the School will provide OCR with a copy of the revised notice of nondiscrimination referenced in this item for OCR's review and approval. Within thirty (30) calendar days of written notification from OCR that the School's notice of nondiscrimination complies with Title IX and Section 504, the School will ensure that each of its electronic and printed publications of general distribution that provide information to employees and students about School services and policies contain the notice of nondiscrimination. Inserts may be used pending reprints of these publications.

Reporting Requirement: Within thirty (30) calendar days of the completion of this item, the School will provide OCR with documentation that it has implemented this item, including copies of any printed publications, and web links to any electronic publications containing the notice.

5. By July 1, 2015, the School will review all sexual harassment complaints received during the 2013-2014 and 2014-2015 school years to determine whether each complaint was handled consistent with the criteria set forth in Section 1 above. The School will take appropriate action to address any problems identified regarding the manner in which these complaints were handled, including providing appropriate remedies that may still be available for the complainants in these cases, such as counseling or academic adjustments, and taking steps beyond remedies for the victim to address a hostile environment.

Reporting Requirement: By July 21, 2015, the School will provide for OCR's review and approval the results of its review as described in Section 5 of this Agreement, including, but not limited to, any actions taken by the School and remedies put in place by the School as a result of its review. For the 2013-2014 and 2014-2015 school years, the School also will provide OCR with documentation related to the School's original response to each of the complaints, including documentation related to the investigation of each complaint, evidence submitted by the parties, investigative reports and summaries, any final disposition letters, disciplinary records, and documentation regarding any appeals.

The School understands that OCR will not close monitoring of this agreement until OCR determines that the School has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, Title II, and Title IX, which were at issue in the complaint.

The School understands that by signing this Agreement, it agrees to provide the requested data and other information in a timely manner in accordance with the reporting requirements of this Agreement. Further, the School understands that during the monitoring of this Agreement, if necessary, OCR may visit the School, interview staff and students, and request such additional reports or data as are necessary for OCR to determine that the School has fulfilled the terms of this Agreement and is in compliance with the regulations implementing Section 504, Title II and Title IX.

The School understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings to enforce the specific terms and obligations of the Agreement. Before initiating administrative enforcement (24 C.F.R. §§ 100.9, 100.10), or judicial proceedings to enforce this agreement, OCR shall give the School written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

/S/
Head of School or designee

3/12/15
Date