

RESOLUTION AGREEMENT
Henry County Public Schools
OCR Case No. 11-15-1253

Henry County Public Schools (the Division) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Case No. 11-15-1253. This Agreement does not constitute an admission by the Division of a violation of Title IX of the Education Amendments of 1972 (Title IX) or any other law enforced by OCR.

1. By October 1, 2017, the Division will evaluate whether a sexually hostile environment exists at XXXX (the Middle School).
 - a. As part of this review, the Division will administer a survey to all Division middle and high school students regarding the climate within the Division as it relates to a potentially sexually hostile environment.
 - b. This evaluation may also include steps such as interviews with current staff members and a consideration of the use of any programs or trainings provided to school staff.
 - c. The Division will take steps to address and remedy any concerns discovered during the review, including concerns raised within the student surveys.
2. Within 10 school days of the date of this Agreement, the Division will notify the Complainant in writing that it will conduct the review described above.

REPORTING REQUIREMENT: By April 11, 2017, the Division will provide OCR with documentation of the notice to the Complainant regarding the review of a potentially hostile environment.

REPORTING REQUIREMENT: By August 1, 2017, the Division will provide OCR with a draft of the survey for review and approval.

REPORTING REQUIREMENT: By **December 1, 2017**, the Division will provide OCR with a report summarizing the results of the student climate surveys, a summary of its review of whether a sexually hostile environment currently exists at the Middle School, and written notification of any steps the Division intends to take to address concerns identified through the climate surveys or review.

3. The Division will ensure, with the Complainant and Students' input, that a plan for the remainder of the 2016-2017 school year and for the 2017-2018 school year is put in place and implemented for the Students to prevent any harassment. This plan may include such measures as:

- a. Division staff will monitor the school environment throughout the school day, including in the classroom, cafeteria, hallways, and other locations in order to prevent the occurrence of sexual harassment and/or retaliation against the Students. Division staff will intervene in situations where the Division staff observe or are made aware of reports the Students being subjected to peer sexual or retaliatory harassment (for example, name-calling, sex-based conduct, sexualized behavior, retaliatory behavior, etc.) and will report any known situations in writing to the Principal and the Division's Title IX Coordinator. The Principal or Title IX Coordinator will notify the Complainant of any reports from the Students alleging sexual or retaliatory harassment; and
- b. Regularly scheduled check-in sessions for the Students with the School's guidance counselor, or other appropriate school personnel. The guidance counselor will inquire about whether the Students have experienced any peer sexual harassment (for example, name-calling, sex-based conduct, sexualized behavior, retaliatory behavior, etc.). If the Student reports harassment, the guidance counselor will report it in writing to the Principal and the Division's Title IX Coordinator, who will then notify the Complainant.

REPORTING REQUIREMENT: Within 20 school days of the date of this Agreement, the Division will contact the Complainant and the Students and coordinate a mutually agreeable time to meet and develop the plan described in item 1(b).

REPORTING REQUIREMENT: The Division will provide OCR with a copy of the plan described in item 1(b) within 15 school days of the development of the plan.

4. The Superintendent will issue a statement, to all Division students, parents, and staff via normal communication channels that the Division does not tolerate acts of sexual or gender-based harassment. The statement will encourage any student who believes he or she has been subjected to sexual or gender-based harassment to report the harassment to the Division and note the Division's commitment to conducting a prompt investigation. The statement will include the appropriate contact information for the designated staff member to whom students and parents may report allegations of harassment. The statement will indicate that remedial measures and educational resources will be available, as circumstances warrant, to both students who are harassed and students found to have engaged in acts of sexual or gender-based harassment; it will also warn that harassers may be disciplined including, if circumstances warrant, suspension or expulsion. The statement will encourage students, parents, and Division staff to work together to prevent sexual and gender-based harassment. The Division will distribute this statement in languages other than English, as necessary. The Statement will also be posted in a prominent location at the Middle School and will be posted on the Division's website.

REPORTING REQUIREMENT: By **April 11, 2017**, the Division will provide a draft of the anti-harassment statement to OCR for review and approval. Within 30 school days of OCR's approval of the anti-harassment statement, the Division will issue the statement as required in the

immediately preceding provision, and provide OCR with links to the statement posted on school and Division web sites.

5. The Division will widely publicize the recently revised Title IX policies and procedures by sending written notification to students, parents, and employees through normal communication channels and posting a link to the policies and procedures in an easily accessible location on the Division's web site.

REPORTING REQUIREMENT: Within 15 school days of publicizing the policies and procedures pursuant to the preceding paragraph, the Division will submit to OCR documentation that it has publicized these policies and procedures, including an email link to its website evidencing publication of the policies and procedures and a copy of the written notice to students, parents, and employees.

6. By **May 1, 2017**, the Division will ensure that its description of the Title IX Coordinator's responsibilities and training requirements, if it already has one, includes, at minimum, the coordination of investigations of all Title IX complaints, and regularly developing and participating in activities designed to raise awareness in the Division's community about student-to-student sexual and gender-based discrimination and harassment. If the Division does not already have such a description, the Division will develop one. If the Division decides to designate these responsibilities to another employee, it will make clear the scope of each designated individual's duties and will ensure that the Title IX Coordinator has ultimate oversight responsibility over such issues.

REPORTING REQUIREMENT: By **April 15, 2017**, the Division will provide OCR for its review and approval 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 school days of OCR's approval of the Title IX Coordinator's description, the School will provide OCR with documentation that the Division's Title IX Coordinator description has been adopted by the Division.

7. Within 30 school days of the end of the second semester of the 2016-2017 school year and the first semester of the 2017-2018 school year, the Division will provide to OCR all information pertaining to the reporting, investigation, and disposition of each incident of alleged sexual and gender-based harassment, if any, that occurred in the Division's middle schools during the immediately preceding semester. In addition, specific information concerning individual complaints, including the complaint itself, incident report, correspondence (including e-mail) or other written description of the allegations; and a copy of any documentation of the Division's response, including interview notes, investigative reports, written findings, and records of any corrective action taken, including any disciplinary action, will be made available (if the requested documentation exists) upon request by OCR.

REPORTING REQUIREMENT: Within 30 school days of the end of the second semester of the 2016-2017 school year and the first semester of the 2017-2018 school year, the Division will provide OCR with the information described above.

The Division understands that OCR will not close the monitoring of this Agreement until OCR determines that the Division has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Title IX at 34 C.F.R. Part 106.

The Division understands that by signing this Agreement, it agrees to provide data and other information in a timely manner. Further, the Division understands that during the monitoring of this Agreement, OCR may visit the Division, interview staff and students, and request such additional reports or data as are necessary for OCR to determine whether the Division has fulfilled the terms of this Agreement and is in compliance with the regulation implementing Title IX at 34 C.F.R. Part 106, which was at issue in this case.

The Division understands and acknowledges 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. §§ 100.9, 100.10) or judicial proceedings to enforce this Agreement, OCR shall give the Division written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.

By: _____/s/_____ Date: _____03/09/2017_____

Superintendent or Designee