

RESOLUTION AGREEMENT
Caldwell County Schools
OCR Complaint No. 11-18-1385

Caldwell County Schools (the District) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Complaint No. 11-18-1385. This Agreement does not constitute an admission by the District of a violation of Title IX of the Education Amendments of 1972 (Title IX) or any other law enforced by OCR.

- I. The District will ensure that all Science, Technology, Engineering, and Math (STEM) club(s) offered in the District during the 2018-2019 school year and during the monitoring of this agreement, including at the Collettsville School, are open to all students, regardless of sex, and that the name of the club(s) and the promotional materials and permission forms for the club(s) reflect the coeducational nature of the club(s), unless a club meets the requirements of the Title IX regulation for single-sex classes and activities at 34 C.F.R. § I06.34(b). Specifically, before offering any single-sex club, the District must determine that
 - The club meets an important educational objective;
 - The single-sex nature of the club or activity is substantially related to the specified objective;
 - Enrollment in the single-sex activity is voluntary;
 - The school offers a substantially equal coed club in the same subject; and
 - The school offers single-sex clubs evenhandedly to male and female students.

Reporting Requirement:

1. By **December 15, 2018**, the District will provide documentation indicating that all STEM club(s) offered in the District during the 2018-2019 school year, including at the Collettsville School, are open to all students regardless of sex, and that the advertising for the club(s) reflect the coeducational nature of the club(s),
2. **By October 1, 2019 and 2020**, the District will provide OCR with a report indicating whether the District determined to offer a Girls Excelling in Mathematics and Science (GEMS) club, or any other single-sex club or activity, at the School and/or at any other school during that school year (2019-2020 and 2020-2021, respectively).
 - a. If it determines not to offer a single sex club(s) or activity(s) at any school during that school year, the report will indicate such.
 - b. If the District determines to offer a single sex club or activity(s) at any school during that school year, the report will provide to OCR the information and documentation the District relied on in making the determination that each GEMS club was in compliance with the requirements of the Title IX regulation at 34 C.F.R. § 106.34(b), as well as all communications with parents regarding the implementation of and student participation in each GEMS club.
2. The District will provide written notice to the District Title IX coordinator and the Principal, Assistant Principals, and instructional staff at the Collettsville School, of the requirements that must be met in order to offer single-sex clubs or activities, as outlined in the Title IX regulation at 34 C.F.R. §106.34(b). Specifically, the notice will address

the following requirements for offering single-sex clubs or extracurricular activities:

- Identify beforehand, for each club or activity, an important educational objective to be achieved;
- Demonstrate beforehand, for each club or activity, that the single-sex nature of the class or activity is substantially related to achieving the specified objective;
- Ensure that enrollment in the single-sex class is voluntary;
- Offer a substantially equal coeducational club in the same subject;
- Offer single-sex clubs evenhandedly to male and female students; and
- Conduct periodic evaluations at least every two years to ensure that the clubs continue to comply with Title IX.

Reporting Requirement:

By January 31, 2019, the District will provide OCR, for its review and approval, a draft of the proposed notice to be sent to identified staff. Within 14 days of receiving OCR's approval, the District will send the notice to the individuals listed in item 2 above.

3. If the District decides to consider adding any single-sex clubs or activities at a particular school(s), the District will provide training to the District Title IX coordinator, all administrators at the school(s), and all staff at the school(s) who may be involved in the single-sex club or activity being considered, on the requirements that must be met in order to offer single-sex extracurricular activities, as outlined in the Title IX regulation at 34 C.F.R. §106.34(b). Specifically, the training will address the requirements for offering single-sex clubs or extracurricular activities enumerated in Provision 2 of this Agreement.

The District will provide the training no less than one month in advance of taking any steps to implement single-sex classes, including steps to conduct a study or otherwise determine whether the single-sex nature of a club or activity is substantially related to achieving a specified objective.

Reporting Requirement:

During the monitoring of this agreement, if the District plans to offer single-sex clubs or activities during the upcoming school year, the report required under Item #1, Reporting Requirement #2(b), above will include information demonstrating that the District has completed the above training regarding single-sex clubs. The report will include the date(s) of the training, a sign-in sheet including the attendees' names, positions, and signatures, a copy of the training agenda, a copy of the training materials, and the name, title and qualifications of the trainer(s).

The District understands that by signing this Agreement, it agrees to provide 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.

The District 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 will give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

By: 
Donald Phipps, Ed.D, Superintendent

Date: 12/4/18

