

RESOLUTION AGREEMENT
Prince George County Public Schools
OCR Complaints Nos. 11-18-1308 and 11-18-1398

Prince George County Public Schools (the Division) agrees to fully implement this Resolution Agreement (Agreement) to resolve Office for Civil Rights (OCR) Complaints/ Nos. 11-18-1308 and 11-18-1398.¹ 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. Within 10 calendar days of the date this agreement is signed, after providing proper written notice to the parent/guardian of Student 1, the Division will convene a group of persons knowledgeable about Student 1, making all reasonable efforts to include the parent/guardian, to discuss the provision of compensatory and/or remedial services to Student 1 for the time period the Student was removed from, from April 13, 2018 to June 20, 2018. The group will develop a plan for providing timely compensatory and/or remedial services with a completion date not to extend beyond August 31, 2018. Following completion of compensatory and/or remedial services, the Division will make all appropriate grade adjustments to Student 1's third and fourth quarter grades for the 2017-2018 school year and any corresponding adjustments to her placement for the 2018-2019 school year. In addition, Student 1 will be offered testing to determine eligibility for placement in gifted and talented classes.

Reporting Requirements:

- a. Within one week of the meeting, the Division will submit to OCR a copy of the meeting minutes or similar documentation from the meeting, including an explanation for decisions made, a description of and schedule for providing compensatory and/or remedial services to Student 1, the written invitation to the Student's parent/guardian, and a list of meeting attendees.
- b. Within 10 calendar days after receiving OCR's approval of the results of the meeting outlined above, the Division will provide Student 1's parent/guardian with written notice of the outcome of the meeting, including an explanation for decisions made and a description of and schedule for providing compensatory and/or remedial services to the Student 1. The Division will provide a copy of this written notice to OCR.
- c. By September 14, 2018, the Division will provide documentation to OCR of the dates, times, and locations that compensatory and/or remedial services were provided to Student 1, a description of what was provided, and the name(s) of the service provider(s). The Division will also provide documentation reflecting any grade and placement adjustments.

¹ Throughout this agreement, the Complainant in OCR Complaint No. 11-18-1308 will be referred to as "Complainant 1" and the Student as "Student 1." For OCR Complaint No. 11-08-1398, the Complainant will be referred to as "Complainant 2" and the Student as "Student 2."

2. Within 10 calendar days of the date this agreement is signed, the Division will offer to have a Division level psychologist evaluate Student 1 and Student 2 to determine whether the Division can provide appropriate counseling services for any mental health harms to the students resulting from the Division's failure to respond promptly to the reported incidents of sexual harassment. If the Division is unable to provide appropriate counseling services through Division staff, the Division-level psychologist will refer Student 1 and Student 2 for appropriate counseling services outside the Division to be paid for by the Division.

Reporting Requirement:

By July 30, the Division will provide OCR with documentation of its compliance with provision 2 above, including the outcome of the evaluation of both students by the Division-level psychologist and an outline of the plan for provision of counseling services, as appropriate.

3. By August 31, 2018, the Division will revise its policy on harassment (School Board Policy JFHA) to include a statement that complaints of harassment based on race, sex, disability, or age may also be filed with the Office for Civil Rights and provide contact information for the Office for Civil Rights, Washington D.C. Enforcement Office.

Reporting Requirement:

By September 14, 2018, the Division will provide OCR with documentation of its compliance with provision 3 above.

4. By August 1, 2018, the Division will conduct a thorough and impartial investigation of all allegations of sexual harassment raised by Complainant 1 and Complainant 2 during the 2017-2018 school year, in accordance with School Board Policy JFHA. The District will ensure that the investigation is conducted by a person/persons knowledgeable about Title IX, including the Division's obligations under Title IX to respond to allegations of sexual harassment and how to conduct a thorough and impartial investigation under Title IX. The investigation must include, at a minimum, interviews with all individuals who may potentially have knowledge of the incidents alleged, including staff, students, and parents. Throughout the investigation, the Division will keep detailed records, including detailed records of all interviews conducted. The Title IX Coordinator for the Division will oversee the investigation. Upon completion of the investigation and following consultation with the Title IX Coordinator, the Division will take all steps necessary to remedy any sexual harassment that occurred, eliminate a hostile environment, and prevent its reoccurrence, including appropriate disciplinary measures and remedial measures for all students impacted by the conduct.

Reporting Requirements:

- a. By July 11, the Division will provide OCR with the name and title of the person/persons who will be conducting the investigation, as well as the person/persons credentials and experience as they pertain to Title IX.
 - b. By July 30, 2018, the Division will provide OCR with all documentation generated during the investigation, including interview records, and any reports generated. The District will also provide documentation reflecting all steps taken in response to the investigation.
5. By August 31, 2018, the Division will provide Title IX training (including training on what constitutes sexual and gender-based harassment, including the hostile environment theory; a review of the Division's responsibility under Title IX to address allegations of harassment, the Division's responsibility for responding to sexual harassment whether or not a grievance is filed and regardless of whether the actions are potentially criminal in nature; the duty to report possible harassment and how to report it; how to conduct and document a sexual harassment investigation, the appropriate standards to determine whether a sexually hostile environment exists, the provision of interim measures to protect the parties during the course of an investigation, and how to formulate any corrective actions) to the Division Title IX Coordinator and all other staff at the Division level involved in processing, investigating, and/or resolving complaints of sexual harassment, or who will otherwise coordinate the District's compliance with Title IX, and to the Principal and Assistant Principal of David A. Harrison Elementary School (the School). In addition, by August 31, 2018, the Division will provide training to all staff at the School on what constitutes sexual and gender-based harassment, including the hostile environment theory and the duty under policy JFHA to immediately report any allegations of sexual harassment or sexual violence to the school principal or directly to the Division level compliance officer.

Reporting Requirements:

- a. By July 23, 2018, the District will provide for OCR's review and approval a copy of the training materials to be used during the training, including the name(s), title(s), and qualifications of the trainer(s) and any handouts or presentations developed.

Within five (5) days of the completion of the approved training program, the District will submit to OCR the name(s) and title(s) of the trainer(s), the date of the training, the materials used, and the sign-in sheet indicating the names and titles of participants.

The Division 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 Division understands that during the monitoring of this Agreement, if necessary, 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. Upon the Division's satisfaction of the commitments made under this Agreement, OCR will close 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 will give the Division written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

By: _____ Date: 7/11/18
Superintendent