

Resolution Agreement
OCR Docket # 15-17-1433
Warren City School District

Warren City School District (the “District”) submits this agreement to the U.S. Department of Education, Office for Civil Rights (“OCR”), to resolve the above-referenced complaint and to ensure compliance with Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106. This Agreement has been entered into voluntarily before the conclusion of OCR’s investigation and issuance of any findings and does not constitute an admission that the District violated Title IX or its’ implementing regulations.

The District agrees to take the following actions:

I. Formation of a Committee

By **May 25, 2018**, the District will invite all students who played softball during 2017 and 2018, as well as their parents, to participate in a District-wide committee that will explore field locations and related facilities for the girls’ softball team commencing in the 2018-2019 season. Once convened, the committee will submit a report with recommendations to the District’s Athletic Council by **June 15, 2018**. The Athletic Council will make the necessary recommendations to the Superintendent by **July 15, 2018**.

REPORTING REQUIREMENTS: By **June 4, 2018**, the District will provide OCR with documentation showing that it sent out invitations to softball players from the 2017 and 2018 seasons and their parents to participate in the District-wide committee. By **July 30, 2018**, the District will provide OCR with a copy of the committee report, submitted to the District’s Athletic Council, and a copy of the recommendations submitted to the Superintendent.

II. Identify a New Softball Field

By **September 15, 2018**, the District will identify a facility for the girls’ softball team’s practices and competitions that complies with Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106. The softball facility will include, at minimum:

1. Scoreboard;
2. Spectator seating;
3. Dugouts
4. Public Address (PA) System;
5. Storage; and
6. Restroom facilities within reasonable proximity.

REPORTING REQUIREMENTS: By **September 30, 2018**, the District will provide OCR with documentation showing the District’s implementation of Action Step II of the Agreement.

III. Provide a New Softball Field

By **April 30, 2020**, the District will provide a facility for the girls' softball team's practices and competitions that complies with Title IX of the Education Amendments of 1972, 20 U.S.C. §1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106, as identified by the District in Action Step II.

REPORTING REQUIREMENTS: By **May 15, 2020**, the District will provide OCR with documentation showing the District's implementation of Action Step III of the Agreement. The documentation will include verification of efforts to provide an equivalent facility to the girls' softball team (e.g. plans, contracts, photographs, staff affidavits, receipts).

IV. Survey of Equipment

By **May 25, 2018**, the District will issue a survey to all student athletes and coaches regarding the sports equipment across the District's girls' and boys' sports programs. The survey will include, at minimum, questions regarding the (a) number, (b) availability, and (c) quality of:

1. Uniforms and other apparel (e.g. practice and game uniforms, shoes, rain gear, warm-ups);
2. Sport-specific equipment (e.g. bats, hockey sticks, tennis rackets, equipment set up and taken down for practices);
3. General equipment (e.g. weights, water bottles, towels, major conditioning equipment).

REPORTING REQUIREMENTS: By **May 30, 2018**, the District will provide OCR with documentation showing the results of the survey.

V. Provide New Equipment

By **September 1, 2018**, the District will send a report to OCR, for approval, with the District's recommendations regarding the furnishing of new equipment to student athletes as required by Title IX at 34 C.F.R. § 106.41(c)(2), based on the District's review of the survey results. In the event that the District proposes that no new equipment be furnished, the District will provide a position statement explaining the District's reasons for that determination. Within **180 days** of receiving OCR's approval, the District will acquire the necessary equipment, as articulated in the approved report.

REPORTING REQUIREMENTS: Within **180 days** of receiving OCR's approval, the District will provide OCR with documentation showing the District's implementation of Action Step V.

VI. Transportation

Until a new softball field is secured, the District will offer to provide transportation for the softball players, coaches, and other students or paid staff (e.g. athletic trainers, scorekeepers) to and from the District's high school to the team's softball field for practice and home games. The District will ensure that the girls' softball team's schedule allows enough time for softball team members to use their locker room prior to practice and games, which shall be available to team members year-round.

REPORTING REQUIREMENTS: By **July 30, 2018**, the District will provide OCR with documentation showing the District’s implementation of Action Step VI of the Agreement with respect to the 2017-2018 season. The documentation will include evidence that the District is providing transportation to and from the field, as well as evidence that the softball teams’ schedule provides enough time for team members to have full access and use of the locker room before practices and games. Until the new softball field is secured, the District will provide OCR with additional documentation showing the District’s implementation of Action Step VI of the Agreement with respect to each subsequent softball season. The District will submit the documentation to OCR by **July 30** after the conclusion of each subsequent softball season.

GENERAL REQUIREMENTS: 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 this 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, which was at issue in this case.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has fulfilled the terms of this Agreement and is in compliance with Title IX and its implementing regulation at 34 C.F.R. § 106.41(c)(7), which was at issue in 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 shall give the District written notice of the alleged breach and sixty (60) calendar days to cure the alleged breach.

Superintendent or Designee

Date