

**Berea City School District
Resolution Agreement
OCR Docket #15-23-1207**

Berea City School District (the District) voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), for the purpose of resolving the above-referenced complaint and ensuring compliance with Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681 *et seq.*, and its implementing regulation at 34 C.F.R. Part 106.

The District agrees to take the following actions:

1. The District will conduct an objective self-evaluation of its provision of equal athletic opportunity to girls and boys in its high school athletic program with respect to the scheduling of games and practice times during the 2022-2023 and 2023-2024 school years. By **December 1, 2023**, the District will have commenced the self-evaluation and will be prepared to report to OCR on the self-evaluation tasks completed to date. The District will complete the self-evaluation by no later than **March 1, 2024**.

The District's self-evaluation will include a review of all the District's high school interscholastic sports and teams and will result in a report that specifically includes the following information for each team, disaggregated by sex:

- a. number of competitive events;
- b. number and length of practice opportunities;
- c. time of day and day of the week that competitive events are scheduled;
- d. time of day and day of the week that practice opportunities are scheduled; and
- e. opportunities to engage in available pre-season and post-season competition.

The District's self-evaluation will also include: a review of any District policies, procedures, and criteria affecting scheduling of games, practices, pre-season and post season competition; a review of applicable athletic-program-related District records (e.g., sports calendars, team practice and competitive schedules); interviews of relevant administrators and coaches; a survey issued to high school student athletes where appropriate; and an assessment of equity throughout its girls' and boys' athletics programs at the high school with respect to the scheduling of games and practice times.

If through this evaluation the District determines that scheduling of games and practice time is not equivalent (equal or equal in effect) for members of both sexes and the differences are not the result of nondiscriminatory factors as it has determined through its self-evaluation, the District will draft an action plan (Action Plan) in response to the self-evaluation that includes documentation of any necessary changes resulting from the evaluation and a written procedure with guidelines for future scheduling to ensure that student athletes are provided with equivalent benefits and services with respect to the

scheduling of games and practice times in compliance with the requirements of Title IX. The Action Plan will require that the District disseminate the procedure and guidelines for future scheduling and provide guidance on how to implement the Action Plan to key personnel, including the Superintendent, athletic director, Title IX coordinator, high school principal, and all coaches of high school interscholastic teams.

Reporting Requirements: By **December 1, 2023**, the District will provide OCR with a report of self-evaluation tasks completed to date on its compliance with Item 1 (e.g., summary of what types of documentation, interviews, surveys completed or reviewed). By **April 15, 2024**, the District will provide OCR with its full report and, if determined necessary as a result of the self-evaluation, the Action Plan, for OCR’s review and approval, to document its compliance with Item 1. The documentation will include: a list of individuals involved in the assessment process, a description of the non-documentary information considered, a copy of any documents relied upon in the process, a copy of any survey responses; the District’s determinations from the information assessed; and any Action Plan with timeframes for completion.

2. Within 30 calendar days of OCR’s approval of any Action Plan, the District will begin to implement the Action Plan and make any necessary changes resulting from the self-evaluation determination as identified in the Action Plan.

Reporting Requirement: Within 90 calendar days of receiving OCR’s approval of any Action Plan, the District will provide OCR with documentation showing the District’s progress in implementation of the Action Plan. If the District has an Action Plan pursuant to Item 1, the District will submit additional report(s) every 180 calendar days until receiving OCR’s approval verifying that it has fully implemented the Action Plan.

General Requirements

The District understands and acknowledges that OCR may initiate proceedings to enforce the specific terms and obligations of the Agreement and/or Title IX and its implementing regulation, 34 C.F.R. Part 106. Before initiating such proceedings, OCR will give the District written notice of the alleged breach and 60 calendar days to cure the alleged breach.

The District understands that OCR will not close the monitoring of this Agreement until OCR determines that the District has demonstrated compliance with all the terms of this Agreement and is in compliance with Title IX and its implementing regulation, which were at issue in this complaint.

The Agreement will become effective immediately upon the signature of the District’s representative below.

/s/

06/29/2023

Superintendent or Designee

Date