

Resolution Agreement
Docket # 07121225

The U.S. Department of Education, Office for Civil Rights (OCR), conducted a complaint investigation of the Morris County USD #417 (District), Council Grove, Kansas, pursuant to Title IX of the Education Amendments of 1972 (Title IX), 20 United States Code § 1681, and its implementing regulation, 34 Code of Federal Regulations (C.F.R.) Part 106, which prohibit discrimination on the basis of sex by recipients of Federal financial assistance. The District, as a recipient of Federal financial assistance, is subject to the requirements of Title IX.

The complainant alleged the District operates an interscholastic athletics program that fails to provide benefits, opportunities, and services to female athletes that are equivalent to those provided to male athletes in regard to the following program components:

1. Opportunity to receive coaching, as well as the assignment and compensation of coaches in the middle school and the high school programs;
2. Provision of equipment and supplies in the middle school program;
3. Scheduling of games and practice times in the middle school program; and
4. Provision of locker rooms, practice and competitive facilities in the middle school program.

Before OCR completed its investigation, the District voluntarily agreed to take the following actions:

1. By Feb. 28, 2013, the District will provide an equal opportunity for participants on boys' and girls' high school sports teams to receive coaching by hiring an assistant high school softball coach. OCR acknowledges that the District has already appropriated funds and commenced a search to fill that coaching position. The District agrees that if the coaching position is filled by an individual pursuant to Rule 10 of the Kansas State High School Activities Association Handbook, the individual will be qualified to coach without supervision.

REPORTING PROVISION: By Feb 28, 2013, the District will notify OCR of the name and Rule 10 status of the individual hired as the assistant high school softball coach. The District will provide OCR a copy of the individual's supplemental duty contract and documentation of Rule 10 status.

2. By June 15, 2013, the District will provide an equal opportunity for participants on boys' and girls' middle school sports teams to receive equipment and supplies by purchasing the middle school volleyball team new uniforms consisting of one top and a matching bottom. The District will purchase a sufficient quantity of uniforms to ensure that each volleyball player on the girls' middle school team has a

new uniform. Additionally, the District will purchase a variety of sizes to maximize the likelihood that each player will have an appropriate uniform that fits.

REPORTING PROVISION: By June 15, 2013, the District will notify OCR of its purchase of volleyball uniforms. The District will provide OCR a copy of the purchase orders and receipts for the uniforms.

3. By May 30, 2013, the District will provide an equal opportunity for participants on boys' and girls' middle school sports teams regarding the scheduling of practice times by ensuring the middle school volleyball team has the opportunity to benefit regularly from practices that are two hours in length consistent with the District's schedule for athletics practices. Whether the entire allotted practice time is used will be subject to the coaches' discretion. During Spring 2013, OCR will review and approve a schedule drafted by the District for the Fall 2013 middle school volleyball season to ensure compliance with this paragraph.

REPORTING PROVISION: By May 30, 2013, the District will provide OCR, for review and approval, a copy of the 2013 practice schedule for the middle school volleyball team, designating the date, time, and location of each practice.

4. By March 1, 2013, the District will provide an equal opportunity for participants on boys' and girls' middle school sports teams regarding the provision of locker rooms by providing a locker room for practice for the middle school boys' track team.

REPORTING PROVISION: By March 1, 2013, the District will notify OCR of the location of the practice locker room for the middle school boys' track team and provide OCR photographs showing the complete interior of the locker room.

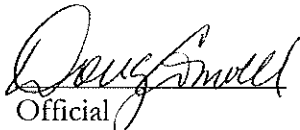
5. By May 30, 2013, the District will provide an equal opportunity for participants on boys' and girls' middle school sports teams regarding the provision of practice facilities by no longer scheduling any practices for the middle school volleyball team at any facility where two volleyball nets/courts are not available for practice. Any changes in practice facilities necessitated by this provision will be made in a manner that will provide an opportunity for the middle school volleyball team to benefit from two-hour practices.

REPORTING PROVISION: By May 30, 2013, the District will provide OCR, for review and approval, a copy of the 2013 practice schedule for the middle school volleyball team, designating the date, time, and location of each practice.

The District understands that OCR will not close the monitoring of this agreement until OCR determines that the recipient has fulfilled the terms of this agreement and is in compliance with the regulation implementing Title IX at 34 C.F.R. § 106.41(c)(2), (3), (5), (6) and (7) which was at issue in this case.

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 and is in compliance with the regulation implementing Title IX at 34 C.F.R. § 106.41(c)(2), (3), (5), (6) and (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 or judicial proceedings to enforce this Agreement, OCR shall give the District written notice of the alleged breach and a minimum of sixty (60) calendar days to cure the alleged breach.



Official
Morris County USD #417

12/21/12
Date