

**Resolution Agreement
Glassboro School District
Case No. 02-17-1112**

In order to resolve Case No. 02-17-1112, Glassboro School District (the District) assures the U.S. Department of Education, Office for Civil Rights (OCR), that it will take the actions detailed below pursuant to the requirements of Title IX of the Education Amendments of 1972 (Title IX), as amended, 20 U.S.C. § 1681 et seq., and its implementing regulation at 34 C.F.R. Part 106.

Action Item 1: Grievance Procedures

By August 31, 2017, the District will adopt and publish revised grievance procedures that address complaints of sex discrimination (including sexual harassment, sexual assault, and sexual violence) to ensure that these procedures provide for the prompt and equitable resolution of complaints by students, employees and third parties who allege all forms of discrimination on the basis of sex. The procedures will include at a minimum:

- (1) notice of the procedures and how to file a complaint that is easily understood, easily located and widely distributed; such notice must include the contact information (name or title, office address, email address and telephone number) for the individual with whom complaints may be filed;
- (2) notice that the procedures apply to complaints alleging all forms of sex discrimination (including sexual harassment, sexual assault, and sexual violence) against employees, students, or third parties;
- (3) definitions and examples of what types of actions may constitute sex discrimination (including sexual harassment, sexual assault and sexual violence);
- (4) a statement that responsible employees are expected to promptly report sexual harassment that they observe or learn about;
- (5) a statement that the District has an obligation to promptly investigate to determine what occurred and then to take appropriate steps to resolve the situation when it knows or reasonably should know about possible discrimination;
- (6) provisions for the prompt, adequate, reliable, and impartial investigation of all complaints, including the opportunity for the parties to present witnesses and other evidence;
- (7) a statement that the preponderance of the evidence standard will be used for investigating alleged sex discrimination, sexual harassment, sexual assault and sexual violence complaints and making findings related to the allegations;
- (8) clarification that any informal resolution mechanism set forth in the procedures will only be used if the parties voluntarily agree to do so, that the complainant should not be required to

resolve the problem directly with the respondent, and that there will be instances when the informal resolution mechanism may be inappropriate (e.g., mediation is prohibited in cases of sexual assault, and those involving a student complaining of sexual harassment against an employee in a position of authority over the student); and that the complainant must be notified of the right to end the informal process at any time and begin the formal stage of the complaint process;

- (9) designated and reasonably prompt timeframes for the major stages of the grievance process that apply equally to the parties of the complaint, including the investigation, complaint resolution, and appeal processes, if any;
- (10) provisions indicating the availability of interim measures during the District's investigation of possible sexual harassment (such as how to obtain counseling and academic assistance in the event of a sexual assault, and what interim measures can be taken), and that such interim measures will not disproportionately impact the complainant;
- (11) an assurance that the complaint and investigation will be kept confidential to the extent possible;
- (12) notice to both parties of the outcome;
- (13) notice of the opportunity of both parties to appeal the findings, if the procedures allow appeals;
- (14) an assurance that any appeal will be conducted in an impartial manner by an impartial decision maker;
- (15) an assurance that steps will be taken to end discrimination and harassment, eliminate any hostile environment, to prevent its recurrence, and remedy the discriminatory effects on the victim(s) and others, if appropriate;
- (16) examples of the range of possible disciplinary sanctions, and the types of remedies available to victims and others; and
- (17) a statement that retaliation is prohibited against any individual who files a sex discrimination complaint under Title IX or participates in a complaint investigation in any way.

Reporting Requirements:

- a) By July 31, 2017, the District will provide its revised grievance procedures to OCR for review and approval. OCR will respond within 30 days.
- b) By September 30, 2017, the District will provide documentation to OCR to demonstrate that it has formally adopted the OCR-approved revised procedures; updated all printed publications and on-line publications with the revised documents

(inserts may be used pending reprinting of these publications); and disseminated the information to employees during training that occurs prior to the commencement of the school year and to students as an inclusion in the student handbook. This documentation will include evidence of the dissemination of the revised grievance procedures to students and employees, a list of the titles of the publications in which the information appears (e.g., website, student and employee handbooks) as well as a copy of any such publications or a link to an on-line publication containing the revised grievance procedures; or if not yet finalized, a copy of the insert for printed publications.

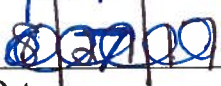
Action Item 2: Training

By September 30, 2017, and thereafter during its annual training for District staff, the District will provide training to its Title IX Coordinator(s), any other coordinators, and any District officials and administrators who will be directly involved in processing, investigating and/or resolving complaints of sex discrimination (including sexual harassment, sexual assault, and sexual violence), or who will otherwise coordinate the District's compliance with Title IX. The District's training will specifically cover the District's revised grievance procedures for Title IX complaints, and will include instruction on how to conduct and document adequate, reliable, and impartial Title IX investigations. The training will include information concerning what constitutes sex discrimination (including sexual harassment, sexual assault, and sexual violence), and the District's responsibilities under Title IX to address allegations of sex discrimination (including to take interim measures).

By September 30, 2017, and thereafter during its annual training for District staff, the District will provide training to all employees likely to witness or receive reports of sex discrimination (including sexual harassment, sexual assault, and sexual violence), including teachers, administrators, District law enforcement or security personnel, counselors, general counsel, athletic coaches, and health personnel. This training should cover how to prevent and identify sex discrimination, including sexual harassment and sexual violence; and, as applicable, the person(s) to whom such misconduct must be reported. The training should also explain responsible employees' reporting obligations, including what should be included in a report and any consequences for the failure to report; and the procedure for responding to students' requests for confidentiality, as well as provide the contact information for the District's Title IX coordinator.

Reporting Requirements: By October 15, 2017, the District will provide documentation to OCR demonstrating that it provided training in accordance with Action Item 2 above. The documentation will include, at a minimum, the name(s) and credentials of the trainer(s), the date(s) and time(s) of the training(s), the names and positions/titles of staff in attendance, confirmation of whether all relevant employees have been trained (and if not, how many remain), and copies of any training materials distributed.

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 the regulations implementing Title IX, at 34 C.F.R. §106.8(b) which were at issue in this case. The District also understands that by signing this agreement, it agrees to provide data and other information in a timely manner. Further, the District understands that during the monitoring of this agreement, 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 regulations implementing Title IX, at 34 C.F.R. §106.8(b), which were at issue in this case. The District understands and acknowledges that OCR may initiate administrative enforcement or judicial proceedings, including to enforce the specific terms and obligations of this agreement. Before initiating administrative enforcement (34 C.F.R. §§ 100.9, 100.10), or judicial proceeding, including 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.

7/27/17

Date


Authorized Representative
Glassboro School District

Policy Regarding Complaints of Discrimination on the Basis of Sex

The Board of Education of the Glassboro School District is committed to providing an educational and work environment that is free from sex discrimination. Title IX of the Education Amendments of 1972, states that “[n]o person in the United States shall, on the basis of sex, be excluded from participating in, be denied the benefit of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance.” The Board prohibits discrimination on the basis of sex in its educational program, co-curricular and extra-curricular activities, and in the workplace, as required by law. The Board seeks to establish expectations for behavior that promote a safe and nurturing school environment and provide direction for students, employees, and third parties in recognizing and reporting sexual discrimination in accordance with this policy and with local, state and federal requirements. The District is committed to taking steps to end all sex discrimination and harassment and to eliminate any hostile environment, prevent its recurrence, and remedy the discriminatory effects on the victim(s) and others, if appropriate.

Sex discrimination is characterized as unwelcome conduct of a sexual nature that interferes with a student’s ability to learn, study, work, achieve, or participate in school activities or with an employee’s/third party’s term, condition, or privilege of employment/relationship with the school system. Sex discrimination can be committed by a student, employee or third party. Sex discrimination takes many forms including, but not limited to, sexual harassment, sexual assault and sexual violence. Sexual harassment may include offensive language, derogatory posters or drawings, unwelcome sexual advances, or pressuring an individual for sexual activity. Sexual assault may include unwanted touching of a person’s body in a sexual way without that person’s consent. Sexual violence may include any contact that occurs without the explicit consent of the recipient such as sexual battery, rape or molestation, for example.

Employees, students and third parties may be subject to disciplinary action or consequences for inappropriate behavior of a sexual nature, even when the behavior does not rise to the level of sexual discrimination as defined by prevailing federal and state laws. Disciplinary sanctions imposed against employees may include suspension with or without pay, termination, or a requirement that the employee obtain counseling. Disciplinary sanctions imposed against students may include suspension, expulsion, or a requirement that the student attend counseling. Disciplinary action against third parties will be taken in accordance with relevant Board policies and other applicable state and federal laws. Remedies available to victims of sex discrimination may include counseling, the imposition of an order against the guilty party prohibiting further contact with complainant, reinstatement of employment to complainant, or any other remedy as is just and serves the interest of reinstating the complainant to his or her position prior to the occurrence of sex discrimination.

The District has an obligation to promptly investigate all complaints of sex discrimination in order to determine the facts relating to what transpired and then to take appropriate steps to resolve the situation when it knows or reasonably should know that possible discrimination has occurred. A “preponderance of the evidence” standard will be used for investigating alleged sex discrimination, sexual harassment, sexual assault and sexual violence complaints and making

findings related to the allegations. All complaints and information relating to investigations of complaints will be kept strictly confidential by District staff to the greatest extent possible. Responsible employees are expected to promptly report sexual harassment that they observe or learn about. Retaliation is prohibited against any individual who files a sex discrimination complaint under Title IX or participates in a complaint investigation in any way.

The following procedure applies to complaints alleging all forms of sex discrimination, including sexual harassment, sexual assault and sexual violence, against employees, students or third parties and ensures that these complaints are investigated adequately, reliably and impartially and resolved promptly and equitably:

- After the incident of harassment occurs, a District employee learns of the incident.
- A verbal report is made to the principal.
- The principal informs the parents or guardians.
- The principal then initiates an investigation by the Anti-Bullying Specialist/Title IX Coordinator within one school day of the report. The principal may appoint others to assist.
 - Contact information for the Anti-Bullying Specialist/Title IX Coordinator is as follows:
 - Danielle Sochor
Beach Administration Building
560 Joseph Bowe Blvd.
Glassboro, NJ 08028
(856) 652-2700
dsochor@glassboroschools.us
- The principal completes an alleged incident report.
- A written report must be made within 2 days of when the employee witness or received reliable information about the incident. The Anti-Bullying Specialist/Title IX Coordinator completes this form.
- The impartial investigation is conducted no later than 10 school days from the date of the verbal report.
- The results of the investigation must be given to the Superintendent of Schools within 2 school days of completing the investigation. The Superintendent decides what action should be taken next (e.g., intervention services, training, discipline, counseling, etc.).
- The Superintendent then must report to the Board of Education at the next Board meeting following the completion of the investigation.
- The District must provide information to the parent of the alleged victim and bully/aggressor about the investigation and findings within 5 school days after the investigation results are given to the board.
- The parent may request a confidential hearing before the Board of Education, which must occur within 10 calendar days of the request. Witnesses and evidence may be presented.
- The Board must issue a decision, in writing, to affirm, reject or modify the Superintendent's decision at the next Board meeting following receipt of

the report. The decision will be provided to the victim and the alleged bully/aggressor.

- The Board's decision may be appealed to the Commissioner of Education within 90 calendar days.
- Parents may file a civil rights complaint with the NJ Division of Civil Rights within 180 calendar days of the incident, or in state or federal court, if the incident is based on a characteristic protected under state or federal law.
- The Executive County Superintendent shall investigate a complaint of a violation by a school district when the complaint is not adequately addressed on the local level.

Should the parties agree to participate in an informal resolution mechanism, such as informal mediation or resolving the issue directly with each other, they may but are not required to do so. However, there are instances when the informal resolution mechanism may be inappropriate, for example, cases involving sexual assault, and those involving a student complaining of sexual harassment against an employee in a position of authority over the student. Should the parties agree to an informal process, the complainant will be notified of their right to end the process at any time and initiate the formal complaint process.

Additionally, during the pendency of an investigation of sex discrimination, the parties can obtain counseling and academic assistance, and certain measures may be taken to appropriately accommodate the parties in a way that will not disproportionately impact the parties, such as reasonable separation.