

RESOLUTION AGREEMENT
Complaint No. 06151535
Eanes Independent School District

The Eanes Independent School District (EISD or District), Austin, Texas, voluntarily submits this Resolution Agreement (Agreement) to the U.S. Department of Education, Office for Civil Rights (OCR), Dallas Office. By this Agreement, the District commits to the following actions, consistent with the requirements of Title IX of the Education Amendments of 1972 (Title IX), 20 U.S.C. § 1681, and its implementing regulations at 34 C.F.R. Part 106, to resolve the compliance concerns identified through OCR's investigation of the above-referenced complaint, specifically as they relate to student athletes' opportunity to receive coaching. 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 Title IX regulations at 34 C.F.R. § 106.41, which were 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 regulations implementing Title IX, at 34 C.F.R. § 106.41, which were 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 a minimum of sixty (60) calendar days to cure the alleged breach. If OCR has any objections to the documents, recommendations or other items required to be submitted for review and approval by OCR under this Agreement, OCR will notify the District of its objections promptly, no later than 60 calendar days after receiving the draft documents.

This Agreement does not constitute an admission by the District that it discriminated against students or employees or otherwise engaged in any wrongdoing. This Agreement is not intended, nor should it be construed to cover, any other matters that are not specifically discussed herein.

The District hereby voluntarily commits to the following:

**I. OPPORTUNITY TO RECEIVE COACHING AND ASSIGNMENT AND
COMPENSATION OF COACHES**

The EISD agrees to provide equal athletic opportunities to participants of both sexes in its interscholastic athletics program with respect to the opportunity to receive coaching and the assignment and compensation of coaches, as required by Title IX and its implementing regulations at 34 C.F.R. § 106.41(c)(5) and (6), and OCR policy. In this regard, the EISD will

assess its compliance with the requirements of this program component at Xxx Xxx School (XXX) and then, with OCR's assistance, develop and implement a plan to resolve any identified compliance concerns to ensure the provision of equal athletic opportunity to participants of both sexes in its interscholastic athletics program at XXX. The EISD's assessment of its compliance with this program component will include consideration of input from student athletes and coaches.

1. By December 1, 2016, EISD will complete a comprehensive assessment of the availability, assignment, and compensation of coaches in its interscholastic athletics program at XXX to ensure that participants of both sexes are provided coaching benefits that are equivalent or equivalent in effect. The assessment will be documented in a report and shall include information about EISD's athletics program as it existed during the 2014-2015 school year and during the 2015-2016 school year. The report shall also include, at a minimum, an assessment of the following factors:
 - a. The number of participants for each team at XXX in EISD.
 - b. A review of the relative availability of full-time coaches, part-time coaches, and assistant coaches at XXX in the EISD.
 - c. A review of the assignment of coaches, including their respective training, experience, and other professional qualifications, and professional standing, at XXX in EISD.
 - d. A review of the compensation of coaches, including full-time, part-time, and assistant coaches. The review shall include coaches' rate of compensation (per sport, per season), duration of contracts, conditions relating to contract renewal, experience, nature of coaching duties performed, working conditions, and other terms and conditions of employment, at XXX in EISD.
 - e. A review of any EISD or XXX policies, procedures, and practices that impact EISD's athletics program with regard to the opportunity to receive coaching for both sexes and the assignment and compensation of coaches.
 - f. A description of any differences related to the availability, assignment, and compensation of coaches, if any, between male and female participants in EISD's interscholastic athletics program, for the 2014-2015 and 2015-2016 school years, including, but not limited to, coaching reassignments, new hires, and/or other changes in the opportunity to receive coaching and the assignment and compensation of coaches.
2. Within 60 days following OCR's approval of its assessment report, EISD will, if any compliance concerns are identified, submit to OCR for its review and approval a plan to ensure that male and female student athletes are provided equivalent benefits and services in the coaching component. The plan will include a description of specific action steps,

timelines, and revision of EISD policies, procedures, and practices to ensure the provision of equal athletic opportunity to participants of both sexes in the assignment, availability, and compensation of coaches.

3. If applicable, EISD will begin implementation of the plan within 30 days of OCR's approval of the plan.

REPORTING REQUIREMENTS – SECTION I

1. By February 1, 2017, EISD will submit to OCR for review and approval a report of its assessment of the availability, assignment, and compensation of coaches in its interscholastic athletics program. OCR will respond no later than 60 calendar days after receiving the draft documents.
2. By August 1, 2017, and by the same date thereafter in 2017 and 2018, EISD will, if applicable, provide a report to OCR addressing the implementation of its plan developed under I (2) above.. The report should include appropriate documentation to demonstrate that the plan is being implemented.

II. TRAINING FOR TITLE IX COORDINATOR(S), COUNSELORS, AND OTHER EISD PERSONNEL

1. By September 1, 2016, EISD will submit to OCR for review and approval proposed training to be provided to its Title IX Coordinators, any other applicable coordinators, school counselors, coaches, and any administrators who will be directly involved in receiving, processing, investigating, and/or resolving complaints of sex discrimination or harassment or who will otherwise coordinate EISD's Title IX compliance, regarding EISD's Title IX grievance procedures. OCR will respond no later than 45 calendar days after receiving the proposed training. The proposed training will also explain the different types of discrimination prohibited by Title IX, and will outline the applicable legal standard for conducting investigations involving the different types of Title IX discrimination complaints.

REPORTING REQUIREMENT – SECTION II

1. No later than 90 calendar days after OCR approves the proposed training, and/or by November 1, 2016, EISD will conduct the training program in one or more sessions. Within 30 calendar days after the final training session has been conducted, EISD will provide OCR with documentation demonstrating that it has completed the training for the EISD staff identified by the District above, including the date(s) of the training, the name(s) and title(s) of the trainer(s), a copy of any materials used or distributed during the training, and a sign-in sheet with the names and titles of EISD staff who attended the training.

Signed:

Dr. Tom Leonard
Superintendent
Eanes Independent School District

Date