

Amherst-Pelham Regional Schools
Resolution Agreement (Agreement)
Complaint No. 01-11-1019

The Amherst Regional Schools (District) voluntarily agrees to take the following actions to resolve the above-referenced complaint. The District will implement the following steps to ensure compliance with 34 C.F.R. Section 106.41(c).

Scheduling of Games and Practice Times

1. In order to provide equivalent scheduling of games and practice times under 34 C.F.R. Section 106.41(c)(3):
 - a. Increase the number of competitive events provided to the girls' soccer, volleyball, and tennis teams so that these teams compete in a full complement of competitive events each year, as allowed by the conference in which they compete. In addition, the District agrees to maintain a balance between the remaining boys' and girls' teams in terms of a full competitive schedule, so that an equal number of boys' and girls' teams have the same percentages of games scheduled and played of the total events allowed in their sport.
 - b. The District will provide an equal number of boys' and girls' teams with the same percentage of their competitive events at "prime-time," meaning at a time that is conducive to an audience of parents, students and community members, and the opportunity to build a spectatorship for their sport. As referenced in 1(b), this means that if football, for example, has 100% of its games on Friday night, or Saturday morning, which is considered "prime time," a sport in the girls' program will have 100% of its competitive events at prime time, or at a time that is conducive to building an audience.
 - c. If "night games" on lighted fields are considered "prime-time" or an advantage in the District and if they are provided to the boys' teams, including but not limited to boys' soccer, the District will schedule the girls' soccer and other teams with the same percentage of their total competitive events on the same or equivalent lighted facility. The District will further align the teams in its program so that an equal number of boys' and girls' teams have an equivalent percentage of their competitive events at night on lighted facilities.
 - d. The District will ensure that the time of day for practices are the same or equally advantageous for teams of both genders. If practice facilities are shared by a boys' and a girls' team, the teams will alternate the use of the facility so that each team will have the same number of practices at the less convenient time of day. For example, boys' and girls' basketball share a practice facility, and practice times are from 5-7 p.m. and 7-9 p.m. The District will schedule practices for basketball, so that the boys' and girls' teams have an equal number of practices at the later practice time. To the extent that other teams share facilities and have to alternate between the girls' and the boys' program, the District will ensure that the less advantageous practice time is equally shared between the boys' and girls' team(s).
 - e. The District will continue to provide the majority of its teams in both programs with practice times immediately after school, in a manner that provides practices to teams of both genders at a time that is equally convenient for boys and girls.

- f. The District is entering into this Agreement for the purposes of resolution only, and is not to be interpreted as an admission on its part that it acted or failed to act in a discriminatory manner.
- g. During the monitoring phase of this Agreement, OCR agrees to take any legitimate, nondiscriminatory reasons into consideration for any continued scheduling differences between the girls' and boys' program.

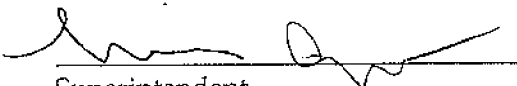
Reporting Requirement – Section 1(a)-(e):

By June 1, 2012, as applicable, the District will submit the following monitoring information:

1. A list of the practice and competitive schedules for the 2011-2012 sports season. These schedules must show the actual practice time each team had by gender, and the actual competitive event schedule for each team by gender.
2. Information demonstrating the time and location of each competitive event for each team in the District's athletics program. Also, a description of the facilities on which the events were held, and whether each facility has lights for night games.
3. A breakdown of teams by gender, indicating the total number of competitive events each team had, and the percentage of games each team had in prime-time.
4. If not provided in response to Reporting Requirement #1, and for teams that share practice facilities, information demonstrating that teams of both genders alternated practice times so that teams of both genders had an equal share of advantageous and disadvantageous practice times. For purposes of this provision, disadvantageous means either early morning or late night practice times, or other times that are not within a reasonable period of time following dismissal from school.

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 regulation implementing Title IX at 34 C.F.R. Section 106.41(c), 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. Section 106.41(c), which governs equal opportunity in athletics and was at issue in this case.


 Superintendent
 Amherst-Pelham Public Schools


 Athletic Director

Dated: May 4, 2011